

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

United States Courts
Southern District of Texas
FILED

11/10/2020

David J. Bradley, Clerk of Court

LADDY CURTIS VALENTINE
RICHARD ELVIN KING
• MAURICE MITCHELL
• DEAN TRAHAN
• LOWELL GREEN
• ERNST WHITE, and;
• ROBERT KERRY MCCLURE, III; individual
and on Behalf of those similarly situated
Plaintiff(s).

Civil Action No # 4:20-cv-01115

BRYAN COLLIER, in his official capacity.
ROBERT HERRERA, in his official capacity, §
• LORIE DAVIS, in her individual capacity and;
• KYLIR B. FRANKLIN, in his individual capacity.
and; TEXAS DEPARTMENT CRIMINAL JUSTICE, I-D.
Defendant(s). §

PLAINTIFF'S

FIRST AMENDED CLASS ACTION COMPLAINT

AND APPLICATION FOR TEMPORARY RESTRAINING ORDER
AND OTHER INJUNCTIVE RELIEF - IMMEDIATE MEDICAL
RELEASE FOR [I]NFECTED & VULNERABLE INMATE(S).

TO THE HONORABLE JUDGE OF SAID COURT:

Comes Now MAURICE MITCHELL, TDCJ #00648121, DEAN TRA-HAN, TDCJ #2157829, LOWELL GREEN, TDCJ #00518622, ERNEST WHITE, TDCJ #02009027 and ROBERT KERRY MCCLURE, Jr., TDCJ #02151961 and the class of UNNAMED inmates confined to the ALLEN B. POLINSKY Unit of the TDCJ, I-D Located in POLK COUNTY - Livingston Texas some of which have been intentionally & knowingly infected with the DEADLY Coronavirus Disease 2019 or COVID-19, who are being QUARANTINED .. and flagrantly being Openly DENIED any and [ALL] forms of MEDICAL TREATMENT, and Left with ONLY two Choices, i.e.: (1). Live on your own Volition WITHOUT any Aid or: (2). DIE ... of COVID-19 Complications.

In support of plaintiff class of inmates on the Polunsky Unit
 REQUEST for immediate MEDICAL EMERGENCY Release Plaintiff:
 (1). MAURICE MITCHELL
 (2). DEAN TRAHAN
 (3). LOWELL Green
 (4) ERNEST WHITE and
 (5). ROBERT KERRY McCLOURE, III shall show the following:

I.

STATEMENT OF THE CASE

(a). In this AMENDED COMPLAINT, the Defendant: LORIE DAVIS is the Director of the TDCJ, I-D and designated 'OVERSEER' for the health & Safety of the inmates Confined within the Institutional Division under HER care and control during this Pandemic. The Director while working under color of state law is being held liable in her 'individual Capacity' for her callous, wanton disregard's gross negligence & Deliberate Indifference under Title 28 USC § 1983.

(b). The Additional Defendant: KYLER B. FRANKLIN is a Correctional Officer III employed on said unit Administrative Segregation cell Blocks Under direct management of the Director's Office through Senior Warden: DANIEL D. DICKERSON

The Defendant: KYLER B. FRANKLIN is being held liable in his [I]ndividual Capacity, while Working Under color of state law was USED as a willing PROXY after Contracting the Virus, then with a Deliberate Indifference and WANTON Disregards to the Health & Safety of the inmates, went among them to spread the Deadly Disease. approximately ⁽¹⁾six to ten days After He tested Positive for the Virus.

(c) we have attached Exhibit of Evidence [mm-63-2020] in behalf of Maurice Mitchell. Your Plaintiff is serving a [95] years term STACKED [25] years out of Houston, Tx for Possession of Controlled Substance (cause not 662,120 DISCHARGED DAY FOR DAY in APRIL 2018 - & Possession) of a Deadly Weapon in Penal Institution 70 years out of Bowie County, Texas on a Texas, Cause # 98-F-0331-202 - the 22nd District Court of Bowie County. Due to amount of Time Served he is eligible for immediate release - but for compilation of Trumped up disciplinary Action(s).

⁽¹⁾ Plaintiff can not pin point the exact day this Defendant was Tested Positive & Layed off for the less than 10 days Period. His appearance on the Job on 7-3-2020 suggest he Contracted the Disease Sometime in Late JUNE of 2020.

§ (c)... continued.

Attached to Exhibit [mm-63- 2020] page [I-37] is plaintiff Maurice Mitchell's TDCJ inmate Time Slips showing him to have served; TWENTY SIX [26] Years Day for Day as revealed at pages [6-7&37], herein.

(d). This particular plaintiff is a 'Litigant' and due to TDCJ, well known JUDICIAL NOTICE of, open & surreptitious Retaliatory measures taken against 'Writ Writers' this plaintiff has been 'TAGGED'. Repeatedly, in Face of being RELEASED On Parole or Mandatory Supervision - each time plaintiff comes CLOSE to going 'Home' he is Bombarded with totally FALSE Disciplinary Action(s) and systematically deprived all all Class Stakes and good-time / work time Bonus Time Credits. See; Exhibit pages [6, 7, 8 whereas just recently after a YEAR case free with intent to obtain an S-4 trustee stakes necessary for release, plaintiff was promoted to a Like class One. See; Page (8) this was SEPTEMBER 1, 2020.

On September 2, 2020 - the very next day, plaintiff was falsely accused of attempting to establish a relationship with — — — a Transgender Female officer, and threatened with 'Papper Spray' and a 'Five Man' force MOVE Surled up Team, and FORCED moved to F Pod Level (3). Plaintiff was forced MOVED to F-Block 28 cell.

Plaintiff MAURICE MITCHELL is a litigant in in Cases pending in the 411th Civil District Court of Polk County - Livingston, Texas under Civil Action Number: CIV-32384 On Claimant's Common Law MOTION For Summary Judgment. Case filed: December 26, 2018 and ANOTHER case; MAURICE MITCHELL VS. ALICE MORIARITY C.O.II in the COUNTY COURT AT LAW.

Cause no. 33734, filed on February 25, 2020.

¹The correct date of false accusation & force move is 9-7-2020. Five (5) days After promotion.

(e) As revealed at said Exhibit of evidences, pages [11,12,13,14,15,16 (12) 17,*] your [P]laintiff REPEATEDLY, informed Ranking officials that officer: ALICE MORTALITY C.O. II will send her Friends, Associates and Co-workers to [TIE] on Plaintiff for "HER" in retaliation.

See: Exhibit page [16] prior to law suit - reason for Law Suit. Please see page [11] she sent the Law Library to write a false case report. Page [10] letters to Public officials, "NOTE this Letter". Page (9) the second false case for the well known false accusation of Masturbation in cell termed as: "Masturbating in Public". Also: page (14) Law Library attempts at retaliation.

II.

CLEAR ATTEMPTED MURDER

(a) As noted in the original Complaint at page (5) foot note (7) Governor GREBB ABBOTT Declares state of Disaster in Texas Due To COVID-19 [March 13, 2020]

Your plaintiff is an inmate confined to his cell 24 hours per-day seven days per-week and 'CANNOT' contract this Disease UNLESS..... Somebody brings it TO HIM!!!

(b) As shown on said Exhibit at page [1] plaintiff Submitted to a COVID-19 Test, Conducted by TDCJ, I-D Director: LORIE DAVIS and plaintiff's Results were negative Dated June 11, 2020, Test conducted: June 9, 2020

An officer: KYLER B. FRANKLIN C.O. III Tested Positive for Corona Virus sometime in JUNE OF 2020 and was layed off for Less than 10 days.

TDCJ official records will show that officer: KYLER. B. FRANKLIN. C.O. III did in fact test Positive on or about JUNE 26, 2020 (circa). and was allowed back on the cell blocks within 8-10 days to SPREAD the Deadly VIRUS.

§ (b) of n II continued.

(ii) As noted: On Exhibit of Evidence: [Imm-63-2020] page [2 thru 4] (Sworn Affidavit of [P]laintiff: Maurice Mitchell). On or about Circa MAY 29, 2020 both officers:

(1) KYLER B. FRANKLIN C.O. III and:

(2) DUSTIN C. BECKNER C.O. III

were assigned to work on E cell Block 12 Building Administrative Segregation.

The affidavit continues to state: "Apparently officer; Kyler B. Franklin (sic) correction has herein been made as to his name. -- (African American) is always assigned to work on F-Block, where the inmates are in constant confrontation with the officers to the point of throwing various substances on the officers, because of the way they are treated.

On the above date (circa) officer, FRANKLIN instigated a confrontation with the Plaintiff, and Affiant told said officer in the hearing of officer: BECKNER; "I'm going to do all I can to get you out of here, because it appears to ME that all you want to do is cause 'US' problems !!!"

On Friday JULY 03, 2020 [AFTER WORD SPREAD THAT OFFICER: KYLER FRANKLIN had contracted CORONA VIRUS, (ie: COVID-19), this same officer, not being off work for less than ten [10] days he shows up on E-Block passing out RECLASSIFICATION papers for the inmates to come to their door, and SIGN as 'HE' collect them ??? [A SICK MAN].

He approached affiant's cell... But affiant decline to accept the paper, or sign it.

Scientist has proven that the 'virus' remain on certain surfaces for certain periods of time, this was the officer's FIRST DIRECT ATTEMPT - to infect plaintiff with said known deadly virus. BECAUSE affiant did not concede the Attempted Murder -- On JULY 05, 2020 this SAME SICK OFFICER (with all Unit Ranking officials ('Acquiesce')) Shows up AGAIN. This time -- HE'S passing out FOOD !!!

Paragraph = II II § = section (b) (i) (2) continued:

Said infected officer was allowed to pass out sick lunches termed as (JOHNNYS).

(c). Your affiant was "suspect," and did not get up to approach the door in order to retrieve the food. There was no other food available, in that Unit officials Locked the entire unit down starting JUNE 21, 2020 serving Johnnys, "intermittently".

On JULY 05, 2020 Plaintiff ate the food, "reluctantly".

(d) AGAIN - Plaintiff points the Court to EXHIBIT, page [1]. the Date of JUNE 11, 2020 - Plaintiff tested 'Negative' for COVID-19.

After eating the contaminated food it was on JULY 08, 2020 Just three (3) days afterwards that Plaintiff was "HARD HIT" with what HE thought may have been a cold. See: Affidavit at Exhibit page [2-3].

Upon discovering via: EXPERIENCES that 'HE' had been consciously, intentionally, and knowingly infected with the CORONA VIRUS. Exhibit of Evidence L MM-63-2020 page [4] Shows plaintiff filed his EMERGENCY GRIEVANCE on July 16, 2020.

TODAY is now SEPTEMBER 14, 2020 - And there has been 'no' response acknowledgement or Action taken on the emergency Grievance. IT IS SURE without doubt that Unit officials in their WELL known REPUTATION; mode of operation - has thrown the July 16, 2020 Grievance in the TRASH CAN! See: Exhibit page [12] whereas Unit officials implement a PROXY - officer: STEVEN MORRIS, CO-DUTY the unit necessity officer to pick up Grievances for the Grievance officers in order to say: "We didn't receive it" See: pg. 17(a).

As shown at page [0,4,39,48] of the Exhibit Plaintiff sent his Affidavit & a copy of the Grievance to:

(i) Mr. William Barr, United States Attorney General

(ii). KPFT 90.1 Radio station HANK LANB,

(iii) Lorrie Davis, Director of DOJ. I-D.

(iv). William Lee HOW. Criminal Prosecutor of Polk County,

(v). Judge: TOM BROWN of Polk County, and;

(vi) Mr. EDDIE FRANKLIN. Private Investigator.

on JULY 20, 2020. stating: "ATTEMPTED MURDER".

III

* FORESEEABILITY - PRECOGNITIVE *

(a) It was prior to receiving official acknowledgement that Plaintiff had in fact been given the Disease, that on JULY 12, 2020 the Emergency Grievance was filed. See Exhibit pages [4.] Letters to officials pages [10, 39,-43 (Classification) Paper Delivered by the "PERPETRATOR" KYLIR B. FRANKLIN, C. O. III signed by "HIM" // Dated: JULY 03, 2020. The DATE OF INTENTIONAL Infection". at Page [42].

(b), At Exhibit pages [11, 12, 13, 14] Recurited Law Library staff to retaliate in HER Behalf officer: ALICE R. MORIARTY, C. O. IV. also. at page; [15, 16, 27] JULY 15, 2020 Your officer has intentionally infected "ME with COVID-19. ~ . " Page (28) requesting -- MEDICATION. I'M 63 YEARS OLD!!! Page (29) requesting -- MEDICATION(S). JULY 14, 2020.

Page [30] no one is coming to this INFIRMARY !!!

Page (31). As a result of sending MAJOR: MOHAMED TOUHAMI Exhibit page:[39-40] same as (2-3). pages [4] the thrown away Grievance and MORE THAN (6) more I-6P Request to said MAJOR... ON JULY 16, 2020 by ORDERS of Major: TOUHAMI Plaintiff was taken via Two Guard escort Shackled Hand & Feet to 1D Building infirmary for COVID-19 Checkup.

See Exhibit Page (31). Nurse: Gwendolyn CHARVAT, C.C.A became "Hysterical" stating, over & over again: "Why did You bring him Down Here!!!"

Plaintiff was manipulated into going Back to his cell.

It was not UNTIL JULY 14, 2020 that PLAINTIFF received official notice.. the results of a SECOND TEST --

¶ See: also for Retaliation from officer: ALICE MORIARTY, C.O.

¶ at Evidence pages [38, 41].

2. See Exhibit page [21] I'd BE DEAD BY now!!! 3rd REQUEST. See: also page [26].

¶ Again, Plaintiff H. MITCHELL is (63) Years old Suffering Severe "High Blood Pressure. See; Original Complaint at page [22-26].

Paragraph III (b) continued...

... covid-19 Test results Tested: July 15, 2020 Results Dated July 19, 2020 RECEIVED by Plaintiff on:
(ii) JULY 23, 2020. See Exhibit at Page (5).

(c) NOTICE: This official notice of infection is from:
(ii) LORIE DAVIS, Director of the Texas Department of Criminal Justice, Institutional Division, and state the following complete and overall deception and fallacy.

"THE RESULT OF YOUR COVID-19 TESTING WAS POSITIVE, YOU WILL BE PLACED IN MEDICAL ISOLATION AND MONITORED FOR 14 DAYS.

IF YOU DEVELOP ANY OF THE SYMPTOMS BELOW, PLEASE NOTIFY THE HEALTH CARE STAFF WHO ARE MAKING ROUNDS IN MEDICAL ISOLATED AREAS.

Etc... etc..

PLEASE REMAIN COMMITTED TO PROTOCOLS IN PLACE TO ENHANCE YOUR SAFETY. etc etc". See page (5) herein at the Exhibit, and Page 5(a), IT'S ALL "LIES".

For over 3 weeks, your Plaintiff SUFFERED near DEATH, with no relief.

Sick, call after sick call were IGNORED.. the nurses making Rounds were ignoring all Cys or request relief. NO ONE!!! would even take Plaintiff out to see a Doctor in FACE of.

(a) High Body Temperatures:

(b) Fever Blisters on the Lips.

(c) Profuse sweating nights & Days.

(d) Gait Symptoms Pain Covering the entire body,

(e) the inability to breath through the nose ,

(f) Coughing, Snoring, Gagging, Chocking ,

(g) Throat and Nasal Passages Clogged up with snot,

(h) and Lungs filling with fluids.

See CALLS for Help in sick Cobb request at pages [18]. Plaintiff was MOVED to isolation WITHIN [6] more infected inmates on July 19, 2020 FOURTEEN [14] DAYS (AFTER) Plaintiff informed the Administration that 'HE' had been intentionally INFECTED!! See Page (28).

Paragraph III (b) (i) - (iv) (H) .. continued..

(c) Plaintiff directs this Court & Defense counsel to Exhibit [mm-63-2020] page (1) we note that on JUNE 14, 2020 He all with ALL other Fifty six [56] infected inmates Tested negative.

Just a mere 38 days later [we know the days are shorter counting as to the DAYS the inmates WERE ALL infected] A WAVE of INFECTION HIT THIS PARTICULAR UNIT and on JULY 19, 2020 over [56] inmates was infected with the DEADLY DISEASE. See Exhibit at page [5]. UNIT WIDE OVER ONE THOUSAND WERE INFECTED !!

Again, at said Exhibit of Evidence, pages [18, 28-29] plaintiff (not in possession of ALL sick call request sent out) on July 5, 2020 BEFORE official Conformation continuously sought HELP!!! I'm DYEING !!! and relief from the Painful effects of the Virus and NO ONE !!! would HELP!! See: Exhibit Page 5(a)

Suddenly, All plaintiff prescription medications either

(i) Expired (but at worse were under 'automatic' restart),

OR:

(ii) they were intentionally Cut off ; e; STOPPED..

Exhibit of Evidence pages [18 thru 23] pages [26, Page 22] caused Major; MOHAMED L. TOUHAMI to send Scrutiny to take Plaintiff to the infirmary, the 3rd Request. Page (31) Shows the RESULTS of the hospital visit. See: Guidance at Page [4 thru 5]. See: Evidence Pages [19, thru 22, 23, 26, [27] 28 thru 29 requesting SPECIFIC MEDICATIONS.

At page [34] I see inmates being brought to the infirmary.
Dated: AUGUST 7, 2020.

But AGAIN, plaintiff AUGUST 05, 2020 Sick Call request was 'Deferred'. See: Page (33).

At page [18 thru 21] Plaintiff informed the entire STAFF, You are causing ME to SUFFER a 'Deliberate Indifference', towards an inmate & his serious medical needs'.

(d) Once again, plaintiff points to Exhibit page [42] as the DATE that 'HE' and many OTHERS were 'intentionally knowingly' infected with the Deadly Disease by officer: KYLE N B. FRANKLIN and Again He passed out Food on JULY 05, 2020 to ensure Infections!!

77 IVIVINMATE DEAN TRAHAN, TDCJ # 215 7829

(a) As shown on Exhibit of Evidence: [mm-63-2020] pages! [11, -16] show plaintiff Maurice Mitchell was ALREADY being subjected to OPEN retaliation for filing claims against officer: Alice Moriarity C.O.I in the POLK Count Court at Laredo under civil action no # 33734.

As a result of this - the EMERGENCY GRIEVANCE molecule's for COVID-19 infections relief. On SEPTEMBER 7, 2020 Plaintiff in attempts to merely obtain an EXTRA amount of Food from One of whom HE thought --- was a friend. A so-called Muslim Transgender Female --- was working the cell blocks.

Similar comments have been previously made. Plaintiff states: You sure make those BLUE Pants Look good.

This is equivalent to saying: 'Those blue pants look good
Or You'.

It's about the 'Pants' .. nothing more.

The Transgender Female, i.e.; A 'Man' trying to be a Woman... ran down and told Sergeant: VEST and Lieutenant: SLOUGHTER same made up lie, and plaintiff was first accused of Sexual Misconduct. Said Sergeant & Lieut Lieutenant Come down and told Plaintiff to Pack up & Move to Punishment Block F-Pod. This was all orchestrated in order to "justify" taking plaintiff's TYPE-WRITER and ALL clothings & food as Punishment.

Plaintiff was immediately threatened with A Five Man Use of 'FORCE' MOVE TEAM Pepper spray and Severe harm & Bodily injury all recorded on Surveillance Camera. Plaintiff was forced moved to F-Pod 28 cell & placed in a cell whose room temperature was near 20 degrees or Below. without Anything for over 24 hours and 'forced' to Spize the Cell Door food slot & DEMAND his property - Relief. they still kept Type-writer Radio & all food & clothing. Punishment without any Hearing what-so-ever & it continues at the writing of this AMENDMENT.

¶ III continued:

(b) As to Your [P]laintiff, Dean Trahan, on or about June of 2020 the 'Terminally Ill' cancer patient was transported from to Polunsky Unit via Mini Van, to the Galveston, John Sealy Hospital for either the extremely expensive "CHEMOTHERAPY" or LASAR TREATMENT to remove CANCER from his "Sclerosis liver."

This particular Plaintiff is serving a Term of Less than Ten [10] years (amount of time uncertain - prepared by class-inmate legal Assistance), and is costing the STATE & Tax payers HUGH sums of money.

On the above approximate date plaintiff rode in the 'Minivan' with only, ONE other 'Administrative Segregation' inmate. Upon arrival at John Sealy Galveston, more than a Two [2] hour ride. The OTHER inmate was taken off, and when they came to retrieve Plaintiff, .. it was then that the officers told plaintiff: "Oh Yeah..! We forgot to tell You.. that other inmate got Corona Virus!!"

(c) Prior to this event Plaintiff did not have this Disease.

On June 09, 2020 Plaintiff was administered the COVID-19 test on the Polunsky Unit. Without receiving a results, it was on or about JUNE 19, 2020 Just Ten days after Testing that Plaintiff was MOVED to Cell Block 12 B-14 cell to ISOLATION/QURANTINED with over 56 other inmates.

(d) This inmate WAS ALSO, intentionally infected with the Deadly Disease.

Plaintiff DEAN TRAHAN is confined for the offense of Possession of Controlled Substance in a Restricted Zone, and is Close to Parole Eligibility.

Posing 'No threat' to the Public, the Terminally ill patient request Immediate medical Release Under the State of Emergency Declared by Governor: Gregg Abbott.

Even though Plaintiff has survived A first infection in FACE of continuous Denial of Any form of Treatment a SECOND and most likely infection may Cost him his life.

IV.

INMATE LOWELL GREEN. TDCJ#

(a). As shown on Exhibit of Evidence; [LG-57-2020], page [1] inmate assistance presently returns 'No Information' on the plaintiff stated above. It is incumbent upon cause/ of record to generate the necessary information for the court.

Inmate Lowell Green is serving a "life Sentence" and has been up for Parole [Ten] (10) or more times, receiving set-off each time.

On or about June 09, 2020 Plaintiff was administered the COVID -19 Test and on JUNE 19, 2020 was MOVED to Isolation/ Quarantine with over (5L) other inmates after Testing Positive for Corona - COVID-19 Virus.

Plaintiff is at or about Fifty Nine (59) or Fifty Seven (57) Years old and susceptible to Contracting the Deadly Virus for a SECOND time.

Plaintiff request an EMERGENCY MEDICAL RELEASE under the STATE OF EMERGENCY Declared by Governor: GREGG

ABBOTT on MARCH 13, 2020.

see; Original Complaint page, (5) foot note (7).

III.

INMATE ERNEST WHITE.TDCJ# 02009027

(a) As shown on Exhibit of Evidence: [EW-34-2020], page [1], inmate assistance presently returns 'No Significant information' on the plaintiff stated above save the attached TDCJ.I.D INMATE TIME/ Parole Panel Notice/ Decision dated: February 26, 2020 Prior to the Declaration of PANDAMIC, and National Emergency.

It is noted that this particular Plaintiff was administered the COVID-19 Test on June 09, 2020 and upon the move of over (5L) inmates To Isolation. Plaintiff was NOT Quarantined. Presently, Your [P]laintiff 'has not' contracted the Deadly Disease but as stated in the original Complaint.

Paragraph VI § (a) continued...

... at page (1). "Prisons are an ideal breeding ground for COVID-19. the Centers for Disease Control & Prevention WARNS that Prisoners are particularly susceptible to the spread of covid-19, due to the high population density of inmates, and the tight confinement environment.

While it has ALWAYS been a matter of 'WHEN'... not "If", COVID-19 hits -- etc. etc.

-- The virus has thoroughly 'HIT' the inmates confined to the ALLEN B. POLUNSKY unit in POLK County, Livingston, Texas - with over 1,000 infections during a single month of JULY 2020.

Because this particular plaintiff among the class of inmates and those similarly situated, plaintiff Purdie Data show him to be Eligible for release, but for loss of class status Line Class and Good-time / Work-time credits. Under the STATE of Emergency Declared by Governor: GREGG ABBOTT, plaintiff request EMERGENCY medical release.

VII.

INMATE ROBERT KERRY MCCLURE TDCJ # 02151961

(a) Information available to the inmate legal Assistant reveal that ROBERT K. MCCLURE will be residing at 1602 ENCLAVE Parkway # 1723 - Houston, Texas 77077 upon release. Your Plaintiff was Tested on or about JUNE 09, 2020 for COVID-19 and as shown at EXHIBIT OF EVIDENCE [R.K.M-29-2020] page [1], dated JUNE 11, 2020 Plaintiff obtained a 'NEGATIVE' results as to infection with COVID-19.

As stated in the original Complaint: "It's only a matter of 'WHEN'."

This particular Plaintiff among the class of inmates confined to the Allen B. Polunsky Unit is serving an Eighteen [18] years term from Fort Bend County for the offense of

7) (a) continued...

.... aggravated robbery. Plaintiff is Eligible for Release to Parole on DECEMBER 13, 2022.

This particular 'Plaintiff' just as Plaintiff:

(1). Maurice Mitchell

(2). Dean Truhun and:

(3). Lowell Green - - - - -

is Suffering from the Deadly Disease of:

High Blood Pressure.. the Silent killer.

(b) Contracting COVID-19 could well be a 'Death Penalty'.
This Plaintiff just as the other (4) above request immediate Release from any further Confinement under the State of EMERGENCY Declared by Governor: GREGG ABBOTT. See; High Risk inmates at Original Complaint. Page; [22-27].

VIII

(a) Plaintiff Mitchell. Truhun. Green. White & McClure, and the Class they seek to represent are currently incarcerated at TDCJ's Allen F. Polunsky Unit, ie DEATH ROW in Polk County Livingston, Texas. As stated Unit officials are intentionally & knowingly infecting the inmates with COVID-19 and failing, flagrantly REFUSING to provide those infected with ANY form of Medication or Relief.

(b) Plaintiff moves Counsel of Record to Show this Court the Present number of Polunsky Unit:

(i) Officers infected with the virus:

(ii) officers Death resulting from the virus:

(iii) Officers Recovered from the virus:

(iv) Inmates infected with the virus.

(v), Inmates DEATHS resulting from the virus.

(vi) Inmates RECOVERED from said VIRUS.

(c). Plaintiff further request Counsel of record shall in all things refashion said AMENDMENT to include MORE Polunsky Unit inmates who are ELIGIBLE for immediate

n. VIII § (c)...continued...

.... due to 'infection' or the [P]ossibility of infection of the deadly Corona COVID-19 virus.

IX

THE ORIGINAL CLASS ACTION

(a). May this Honorable Court please be advised. this Amended Complaint is Prepared by a Two year graduate from ALVIN COMMUNITY COLLEGE i.e., Associate's Art Degree who is ALSO (in Business & Contract Law) -- a Two Year Valedictorian, 1991 Graduate from SOUTHERN CAREER INSTITUTE, Paralegal #[P]-79-9169-2. Said paralegal is Competent to Assist his fellow inmates on the Polunsky Unit.

(b). This Amended Complaint in No form or fashion Supercede my 'Facts' as alleged in the ORIGINAL COMPLAINT which has been prepared and filed by Professional Licensed Attorneys.

(c) the Allen B. Polunsky Unit Administration and the Director's Office: i.e.: MR. DANIEL D. DICKERSON, senior warden and MS. LORIE DAVIS, Director of TOCT, respectively... has Failed as to All relief sought at pages [29 thru 31] of the Original Complaint. The only measure TAKEN were 'Perfunctory Measures', designed to ONLY 'APPEAR' that proper measures measures were in fact being taken.

(d) As stated at page (18) of the original Complaint foot note (6D) "Prisoner serving time for a Drug CHARGE is FIRST U.S. inmate TO DIE from COVID-19, Reuters (March 28, 2020. A 49-year old prisoner in Louisiana who was serving a 27-years prison term for a drug charge, became the first Federal inmate to DIE from COVID-19.

See foot notes [61 thru 71] for more Deaths in prison).

JUDGES ORDERING
Prisoners RELEASED - - -

(e). From pages [22 thru 32] plaintiff attorney show this Honorable court "High Risk" inmates, and pages [8, -20] foot notes

Paragraph IX section (c), continued - - .

..... (19 thru 43) shows a large Number of inmates, nation & world-wide being RELEASED from Juils & Prisons in effort to STEM the spread of the Deadly virus to prisoners.

At Foot note (42) 48% of the inmates, who 'Die'd had "HYPERTENSION", i.e., High Blood Pressure, 31% had Diabetes, and 24% had Coronary heart disease. See: Complaint at page (13).

X

* C O N C L U S I O N *

WHEREFORE premises considered, class plaintiff, Maurice Mitchell who has been up for Parole more than Ten [10] Times. Serving a (95) years term having More TWENTY SEVEN Years [27] served Day For Day with Chronic High Blood Pressure at Sixty three [63] years old being AFFECTED with COVID-19 Request Immediate Medical Release to 2627 Homer-Drive-Houston, Texas 77088.

Plaintiff, Lowell Green - Fifty Seven [57] years old with more than [30] years served Day For Day on a life sentence has Chronic High Blood Pressure and Request immediate medical release to Dallas County, Dallas, Texas.

Plaintiff, Dean Trohan - Fifty three (53) years old on 9-17-20 has More than Six (6) (circa) years Served on a Drug conviction has Liver Cancer - high Blood Pressure Request immediate medical Release.

Plaintiff, Ernest White is eligible for Parole and Request immediate medical Release to the Houston area. Finally Plaintiff Robert K. McClure request immediate Medical Release to M. Houston, Texas as shown here at Exhibit of Evidence: [R.K.M.-29-2020] under the Emergency Declaration of Governor Greg Abbott.

Paragraph x Conclusions... continued:

Lastly Your plaintiff(s) class of inmates on the Polunsky unit PRAY counsel of record to compile a list of other inmates SYSTEM wide confined for DDCI offences, those with CHRONIC DISEASES, and those posing no threat to any one in the Pub PUBLIC, those who have Served a Substantial amount of their sentence and Add their names to those for immediate Medical Release and OR; Release under the Declaration of An Emergency By Governor Gregg Abbott.

Plaintiff's Pray this Court to Grant them all and any OTHER relief they are so entitled to.

Respectfully: Maurice Mitchell
Rev. Maurice Mitchell
Specialize Legal Technician
SOUTHERN CAREER INSTITUTE
Paralegal Ng# P-79-9169-2
Allen B. Polunsky Unit
TDCJ.I-D # 00648121
3872 F. M. 350 South
Livingston, Texas 77351

LOWELL GREEN

Lowell Green
Allen B. Polunsky Unit
TDCJ.I-D # 518622

Ernest White

Ernest White
Allen B. Polunsky Unit
TDCJ.I-D # 02009027

Robert K. McClure

Robert K. McClure
Allen B. Polunsky Unit
TDCJ.I-D # 02151961

* Notary Equivalent *

I MAURIE MITCHELL, corporate Person do hereby SWARE that the above Factual Allegations of which I do have Personal Knowledge are True & correct to the best of my knowledge, understanding and belief to which I place my hand on this 30th day of October 2020 A.D.

~~MAURIE MITCHELL
AUTHORIZED BY SIGNATURE
Chapters 132.005 & 200.3
Title (b), Tex. Civ. Prac. & Remedy Code.
Remedies Code.
UNDER PAINS & PENALTY
OF PERJURY, I PROTEST THIS
NON-COMMISSIONED
DRAFT.~~
~~Date: October 30, 2020
Date: MAURIE MITCHELL
Date: DD-DD-YYYY~~

* CERTIFICATE OF SERVICE *

I MAURIE MITCHELL corporate Person do hereby certify that a True and Correct Copy of Plaintiff's First Amended Complaint has been served upon the [D] defendants in and through the Counsel of Record by placing same in the United States mail postage pre-paid on this 30th day of Octo-
ber 2020 A.D. Addressed as follows:

Mr. Ken Paxton
Attorney General for
State of Texas

Attention: Special Litigation
P. O. Box 12548 Capital Station
Austin, Texas 78711-2548

SERVICE IS ONLY MADE ON:
Hon. DAVID BRADLEY, Clerk
UNITED STATES DISTRICT COURT
P. O. Box 61010
Houston, Texas 77208-1010

ATTENTION: DEFENSE ATTORNEY/AND PLAINTIFF(S) attorney has FAILED [US], Plaintiff's Attorney received a copy of this AMENDMENT mailed on SEPTEMBER 21, 2020. and has refused to acknowledge receipt.

DISREGARD SERVICE UPON THE ATTORNEY GENERAL.

Respectfully: Maurie Mitchell
Rev. Maurie Mitchell

(1). Plaintiff: MAURICE MITCHELL; EXHIBIT OF
EVIDENCE: [MM-63-2020]

Pages: [1 thru 43]

(2). Plaintiff: DEAN TRAHAN: EXHIBIT OF
EVIDENCE: [DT-S2-2020]

Page: [1]

(3). Plaintiff: LOWELL GREEN: EXHIBIT OF
EVIDENCE: [LG-57-2020]

Page: [1]

(4). Plaintiff: ERNEST WHITE: EXHIBIT OF
EVIDENCE: [EW-34-2020]

Page [1].

(5). Plaintiff: ROBERT KERRY MCCLURE: EXHIBIT OF
EVIDENCE [R.K.M-29 - 2020]

pages [2].

Civil Action No# 4:20-cv-01115

Mr. Maurice Mitchell. Plaintiff

TDCJ, I-D # 00648121

Conviction: Possession of Deadly Weapon
In A Penal Institution. Tex. P. C. 196.10

Cause No# 98-F-0331-202

202nd Criminal District Court Bowie County

Over 27 Years Confined Day-For-Day.

Term 70 years stacked on 25. 95 years

Up for Parole Each Year Since 2006

Release To; 2627 Homer Dr.-Houston,Tx,77088

EXHIBIT OF EVIDENCE: [mm-63-2020]

Pages:

1-6.

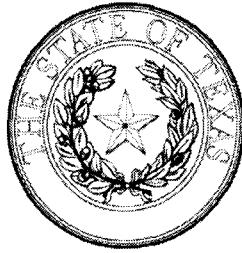
6(a) - Shows Restoration of L-1 Class Status
MANDATORY SUPERVISION RELEASE DATE: 2/27/2025.

Plaintiff has been Deprived of 11 Years Eleven Years,
and Five Months (5) and Seven days Good-Time,
work time Bonus Time Credits.

At Page (37) Plaintiff Show a Total of (26) Years Day for Day,
Served with 11 yrs 5 months & 7 days Added: Equals

27 yrs	2 months	3 days.
11 yrs	5 months	7 days.
		10 days and COUNTING.
38 yrs,	7 months	

Pages [6 (a) thru 43].



Texas Department of Criminal Justice

Lorie Davis

Correctional Institutions Division, Director

DATE: 06/11/2020

TO: MITCHELL, MAURICE
TDCJ #: 00648121

UNIT: POLUNSKY
HOUSING: 12EF2 83 B

The result of your COVID-19 testing was negative.

Thank you for your participation in our fight against COVID 19. Please remain committed to protocols in place to enhance your safety.

Stay Safe,

Lorie Davis
CID Director

My name is Lorie Davis
I am the Director of CID
Total head count was 9100 on
June 11, 2020 from HCC
by J.W. Mitchell

P.O. Box 99
Huntsville, Texas 77342
www.tdcj.texas.gov

Rev; Maurice Mitchell, [SLT]
Title 22 USC § 5001(5)(A) A Sovereign
AMERICAN NATIONAL
Specialize legal Technician, [SLT]
SOUTHERN CAREER INSTITUTE
The [P]aralegal School of 'Arts' & 'Science'
Valedictorian 1991
ATTORNEY-IN-FACT FOR,his Corporate Fiction
MAURICE MITCHELL, Esq. Legal
Registered; Limited Power of Attorney No#
[R:MM-060275-LPA]
Topeka, KANSAS December 14, 2011
Allen B. Polunsky Unit, TDCJ, I-D
TDCJ, I-D No# 00648121
3872 F.M. 350 South
Livingston, Texas 77351

October 16, 2010

WINSTON & STRAWN, L.L.P
Limited Liability Partnership
A Professional Corporation

Mr. JOHN KEVILLE
Attorney At Law
800 Capital Street, Suite 2400
Houston, Texas 77002

RE: REQUESTING THAT YOU PLEASE CONSIDER FILING THE ENCLOSED AMENDED COMPLAINT
TO YOUR ORIGINAL.

Dear Mr. Keville,

With all due respects Sir, It appears that you simply do not understand the 'Importance' of acknowledging receipt of my mail. If you do not acknowledge, then I or [WE] as inmates shall assume that you DID NOT RECEIVE the mail because it is UNIT OFFICIALS MODUS OPERINDI, to SEIZE an inmate's legal mail in hopes of stopping his efforts for redress.

Please acknowledge receipt.

Respectfully:


Rev; Maurice Mitchell
Holder-In-Due Course
Secured Party Creditor.

P.S: I also mailed to you, a law suit of mine that was wrongfully DISMISSED, whereas it is clear that I am entitled to redress. Please respond.

cc/files
skf;

(2)

JULY 12, 2020 12:23 A.M.

SWEORN AFFIDAVIT

My name is MAURICE MITCHELL, TDCJ, I-9 Reg #46912I who being over the age of twenty one (21) of sound mind and body, do hereby and state the following based on the affiant's personal knowledge, understanding and sincerely held belief that;

(1). On or about MAY 29, 2020 (date uncertain), both officer;

KYLIN FRANKLIN, E.O. III and;

BRYANT S. BRENNER E.O. III

were assigned to work E. Block.

Apparently officer KYLIN FRANKLIN, (African American) is always assigned to work on F-Block, where the inmates are in constant confrontations with the officers to the point of throwing various substances on the officers, because of the way they are treated.

On the above date officer Franklin instigated a confrontation with the affiant, and affiant told said officer in the hearing of officer BRENNER; " I'm going to do all I can to get you out of here, Because it appears to me that all you want to do is cause US problems!!! "

On Friday, July 3, 2020 (AFTER WORD SPREAD THAT OFFICER KYLIN FRANKLIN had contracted COVID VIRUS, (i.e; COVID-19), this same officer, not being off from work for less than ten (10) days,) he shows up on E- Block passing our RECLASSIFICATION papers for the inmates to come to the door, and sign as he collected them ???? (A SICK MAN)?

He approached affiant's cell, but affiant declines to accept the paper, or sign it.

On JULY 8, 2020 THIS SAME SICK OFFICER SHOWS UP AGAIN. This time he's passing out the PPE. Johnny socks. Affiant did not get up and go to the door, so the officer dropped the sack into the cell threw the food slot.

On JULY 8, 2020 -suddenly affiant is 'NAME KIT' with what he thought was a cold. On JULY 9, 2020 affiant could not breath good, nose and throat were clogged up with thick mucus, snot, and onions, due to the thick mucus draining, dripping and causing affiant to sneeze and cough.

P This officer Correct name is KYLER B. FRANKLIN

(3)

AFFIDAVIT OF MAURICE MITCHELL Continued....

(IT IS NOTED THAT ON JUNE 11, 2020 Affiant's TDCJ, I-D OFFICIAL COVID-19 screen test result was returned to him on JUNE 16, 2020 stating "NEGATIVE". Affiant is asymptomatic. Aug, 24/7.

Affiant begin to experience bad night sweats, that forced him to have to sleep on a large bath drying towel in order to catch the large quantity of sweat.

July 10, 2020 Affiant is now experiencing "Fever" and "Severe Arthritis" symptoms. (symptoms). Pain all over the entire body simultaneously. Sweating profusely, day and night. Lethargic.

On July 11, 2020 Affiant informed the sick call nurse that he had been infected with the covid-19 virus, and she stated that she would have him pulled out for examination.

In order to verify that all affiant has stated concerning his physical conditions, the physical body will not lie.

Due to the intense heat, high body temperatures, a large FEVER BLISTER HAS RUPTURED ON THE LEFT SIDE OF AFFIANT'S mouth. Proof, without doubt, of unusual body temperatures.

July 12, 2020 1:33 A.M. at the time of preparing this affidavit, affiant, has recovered substantially, ONLY BECAUSE HE, knows what to do in order to preserve his own life.

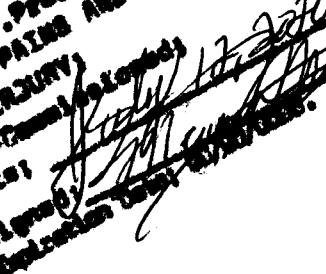
Your affiant is 63 years old.

Anything further, affiant saith not;

Executed on this the 12, day of JULY 2020, A.D.


Mr. Maurice Mitchell
TDCJ, I-D Mat 00549121

Subscribed and sworn to on the undersigned's personal knowledge, under the pains and penalty of perjury on this 12th day of JULY, 2020.


~~MAURICE MITCHELL~~
MAURICE MITCHELL
AUTHORIZED BY STATUTE
Title 6 Chap. 132.002-132.003
TEN.CIV.PROC & R. CODE
UNDER PAPER AND PENAL TV
OF PERJURY
Non-Compliance Allowed
Date: 7/27/2020
Signed: 
Calculated Date: 7/27/2020
2773



Texas Department of Criminal Justice

STEP 1 OFFENDER GRIEVANCE FORM

Offender Name: MAURICE MITCHELL TDCJ # 08668121

Unit: Polunsky Housing Assignment: 12-E-83

Unit where incident occurred: ALLEN B. POLUNSKY UNIT

OFFICE USE ONLY

(4)

C�iance #: _____

Date Received: _____

Date Due: _____

Grievance Code: _____

Investigator ID #: _____

Extension Date: _____

Date Retd to Offender: _____

You must try to resolve your problem with a staff member before you submit a formal complaint. The only exception is when appealing the results of a disciplinary hearing.

Who did you talk to (name, title)? MAJOR: MOHAMMAD TAHRANI 7/15/20 I-60 When? [3] different times.

What was their response? FORCED TO REFUSE MEDICAL ATTENTION BY NURSE; Gwendolyn Charvat, C.C.A

What action was taken? NO MEDICAL TREATMENT OFFERED, AFTER REPEATED REQUEST..

State your grievance in the space provided. Please state who, what, when, where and the disciplinary case number if appropriate

THIS IS AN EMERGENCY GRIEVANCE IN THAT [I] have been intentionally and knowingly given the CORONA VIRUS, COVID-19, in that upon learning that [ME] had covid-19 he was off from work for LESS THAN [10] days. Then the surveillance camera show that on July 3, 2020 THIS INFECTED OFFICER was at my cell door, 12 E. 83 cell attempting to give me Classification Papers to sign. I REFUSED to accept the papers, KNOWING THIS MAN HAD COVID-19. So he left. TWO DAYS LATER, SAME SAME SICK MAN is at my door AGAIN, this time PASSING OUT FOOD!!!! OFFICER: KYLER B. FRANKLIN, C.O. III.

Your grievant was given a Johnny Stack on JULY 5, 2020 by the infected officer as is clearly shown on the surveillance camera, and it is no doubt that this officer either spit on the food, or in some form or fashion put his infected body fluids into the sandwiches, and gave it to your grievant. THIS IS CALLED ATTEMPTED MURDER..

On July 08, 2020 Grievant was HIT HARD with cold like symptoms, and on the following days, his nose throat and entire abdomen were stopped up, clogged with snot, and mucus, and almost unable to breath. On July 09, 2020 grievant was bedridden, with "GOUT", and "ARTHRITIS" "ARTHRITIS" and "GOUT" pain covering my entire body, Shivering, coughing, and in constant pain. On July 11, 2020 Grievant told the NURSE, and was told, he'd be pulled out. NO ONE CAME. On July 13, 2020 grievant was given a COVID-19 field test and informed Marcus W. WILLIAMS, that he had been given the virus, intentionally and knowingly from an officer. On this same day, and while in intense pain, the I-60 was sent to the major, and on JULY 09, 2020 Officer: C. ASN C.O. V has taken a sworn affidavit down to the infirmary reporting the attempted Murder, Still no one came to get the dying grievant.

On July 09, 2020 a large PAPER BLISTER appeared on grievant's nose left upper lip.
 and grievant went into his life-saving ritual, of OUT OF BODY EXPERIENCE, and summoned
 HIS LATE FATHER TO SUSTAIN HIM. On JULY 15, 2020 per ORDERS of Major TAIWANZ, officer;
 DARRYL D. HOOVER, C.O.V and a new officer escorted grievant to the infirmary, and was
 ORDERED TO PROVIDE MEDICAL ATTENTION. Note: GRIEVANT SHOUTS, CALLING YELLING: "WHAT YOU BRING
 HIM DOWN HERE FOR!!!! WHAT YOU BRING HIM DOWN HERE FOR!!!!" Officer;
 HODGE said: "I'M JUST FOLLOWING ORDERS, THE MAJOR SAID BRING HIM, SO I DID. DON'T SWOT THE MESSAGE"

Great pain was over. Grievant was in cell working on legal documents, and left all
 his legal work scattered all over the cell. Upon mentioning that [ME] must go back

to pack his property, THE GUARD NOT MENTIONED HIM THERE ANYWAY, STATED: "YOU GOT TO REFUSE
 Action Requested to resolve your Complaint. TREATMENT IN ORDER TO GO BACK TO YOUR CELL TO PACK UP,

A dirty trick in order to DENY me treatment. I DO NOT NEED TO MOVE. I'M IN QUARANTINE.
 PROVIDE ME WITH PROPER MEDICATION, AS REQUESTED ON MY 7/15/2020 SICK CALL REQUEST.

Offender Signature: D.I.B. INVESTIGATION. Date: July 16, 2020

Grievance Response:

Signature Authority: _____ **Date:** _____

If you are dissatisfied with the Step 1 response, you may submit a Step 2 (I-128) to the Unit Grievance Investigator within 15 days from the date of the Step 1 response. State the reason for appeal on the Step 2 Form.

Returned because: *Resubmit this form when the corrections are made.

- 1. Grievable time period has expired.
- 2. Submission in excess of 1 every 7 days. *
- 3. Originals not submitted. *
- 4. Inappropriate/Excessive attachments. *
- 5. No documented attempt at informal resolution. *
- 6. No requested relief is stated. *
- 7. Malicious use of vulgar, indecent, or physically threatening language. *
- 8. The issue presented is not grievable.
- 9. Redundant, Refer to grievance #_____
- 10. Illegible/Incomprehensible. *
- 11. Inappropriate. *

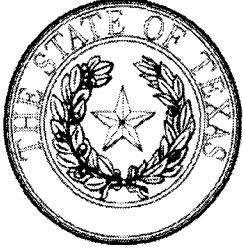
UGI Printed Name/Signature: _____

Application of the screening criteria for this grievance is not expected to adversely
 Affect the offender's health.

Medical Signature Authority: _____

I-127 Back (Revised 11-2010)

OFFICE USE ONLY	
Initial Submission	UGI Initials: _____
Grievance #:	_____
Screening Criteria Used:	_____
Date Recd from Offender:	_____
Date Returned to Offender:	_____
2nd Submission	UGI Initials: _____
Grievance #:	_____
Screening Criteria Used:	_____
Date Recd from Offender:	_____
Date Returned to Offender:	_____
3rd Submission	UGI Initials: _____
Grievance #:	_____
Screening Criteria Used:	_____
Date Recd from Offender:	_____
Date Returned to Offender:	_____



Intentionally redacted; July 05, 2020 (5)

Texas Department of Criminal Justice

COVID-19 Test Administered: 7-15-20.

Lorie Davis

7-15-20
Correctional Institutions Division, Director

DATE: 07/19/2020

TO: MITCHELL, MAURICE
TDCJ #: 00648121

UNIT: POLUNSKY
HOUSING: 12EF2 83 B

The result of your COVID-19 testing was positive. You will be placed in Medical Isolation and monitored for 14 days.

If you develop any of the symptoms below, please notify the health care staff who are making rounds in medical isolation areas.

- Fever
- Cough
- Shortness of breath or difficulty breathing
- Chills
- Repeated shaking with chills
- Muscle pain
- Headache
- Sore throat
- New loss of taste or smell

Should you have any additional questions or concerns, please notify security and/or health services personnel.

Thank you for your participation in the fight against COVID-19. Please remain committed to protocols in place to enhance your safety. We are committed to resuming normal operations as soon as it is safe to do so.

Best Regards,

Lorie Davis
CID Division Director

Our mission is to provide public safety, promote positive change in offender behavior, reintegrate offenders into society, and assist victims of crime.

P.O. Box 99
Huntsville, Texas 77342
www.tdcj.texas.gov

CORRECTIONAL MANAGED HEALTH CARE
PROVIDER WRITTEN RESPONSE TO SICK CALL REQUEST

12 E 3 28 T

Rec: 9/21/20

Patient Name: MITCHELL, MAURICE
TDCJ #: 648121
Date: 09/08/2020 14:22
Facility: POLUNSKY (TL)
Housing: 12EA2 CELL 13

Sick Call Request Date: 9/4

(This communication is to be attached to the sick call request form and returned to the patient.)

This communication is being sent to you to answer your sick call request. If you have questions about the information or do not understand it, you may drop a sick call request for additional information. If you currently are being treated for any medical condition, we would like to encourage you to follow your treatment plan like taking your medication regularly, keeping your scheduled appointments in the clinic and with specialists and coming to clinic for your scheduled treatments and check-ups.

There is no clinical indication for antibiotics in management of COVID infection.

You have Benadryl prescribed for congestion.

You may get Tylenol from the picket if needed for body aches and fever.

Electronically Signed by REILLEY, PAUL K. PA on 09/08/2020.
##And No Others##

Left to Die!!!

RÉPORT: ITS40950-B T.D.C.J. - INSTITUTIONAL DIVISION
107 INMATE TRACKING SYSTEM
COMMITMENT DATA FORM

12/13/2019

PAGE 1

SID NO....: 02592332 TDC NO: 00648121 PIA NO:
 NAME.....: MITCHELL,MAURICE DOB: 06/02/1957 RACE: B SEX: M
 RECEIVED..: 09/08/1993 UNIT..: TL POLUNSKY
 SENT BEGN.: 02/01/1993 L3
 NET SENT..: 0095Y 00M 00D LEGISLATURE: 72ND OUT OF CUST.:
 MIN EXP DT: 06/10/2085 MS CALC CD.: Y BONUS TIME..: 0
 MAX EXP DT: 06/10/2085 PAR CALC CD: FLAT & GOOD TDC CALC PAR: 05/23/2030

OFFENSE DESCRIPTION	MAX. TERM YMD /SENT BEG /MIN EXP /OUT OF CUST.	OFF DATE /MAX EXP	SENT DATE /PAROLE	CC P COURT/COUNTY CU L CAUSE
------------------------	---	----------------------	----------------------	---------------------------------

0070Y 00M 00D 10/24/1996 12/29/1999 CU N 202 BOWIE				
06/11/2015 JAIL GT:Y 98-F-331-202	CNT:00			
01/01/0001 01/01/0001 01/01/0001 MSCLC:	PRLCL:N			
DEC: LJ00090 QCC: SD00108				

CONSECUTIVE RELATIONSHIPS:

001 662120 00 98-F-331-202 00
 JAIL GOOD TIME CREDITED FROM SENTENCE BEGIN DATE
 70/72/73/80/81/82/83/84/85TH LEG:MANDATORY SUPV PROSPECT

REMARKS...: 10/21/2019 DISCIPLINARY CASE: 20200000482

FORFEITED TIME
 DAYS LOST.....30
 DAYS LOST.....1953
 BAL GDTM LST.....2189

ECS
 12-12-2019 UNSTACKED/STACKED NF/JL

Rec'd August 21, 2020

REPORT: ITS40950-B T.D.C.J. - INSTITUTIONAL DIVISION

6 (9)
09/08/2020

107

INMATE TRACKING SYSTEM
COMMITMENT DATA FORM

Rec. 9-17-20

PAGE 1

SID NO....: 02592332 TDC NO: 00648121 PIA NO:
 NAME.....: MITCHELL,MAURICE DOB: 06/02/1957 RACE: B SEX: M
 RECEIVED..: 09/08/1993 UNIT..: TL POLUNSKY
 SENT BEGN.: 02/01/1993 L1
 NET SENT..: 0095Y 00M 00D LEGISLATURE: 72ND OUT OF CUST.:
 MIN EXP DT: 06/10/2085 MS CALC CD.: 4 BONUS TIME..: 0
 MAX EXP DT: 06/10/2085 PAR CALC CD: FLAT & GOOD TDC CALC PAR: 02/27/2025

OFFENSE DESCRIPTION	MAX. TERM YMD /SENT BEG /MIN EXP /OUT OF CUST.	OFF DATE /MAX EXP	SENT DATE /PAROLE	CC P COURT/COUNTY CU L CAUSE
------------------------	---	----------------------	----------------------	---------------------------------

0070Y 00M 00D 10/24/1996 12/29/1999 CU N 202 BOWIE				
06/11/2015 JAIL GT:Y 98-F-331-202	CNT:00			
01/01/0001 01/01/0001 01/01/0001 MSCLC:	PRLCL:N			
DEC: LJ00090 QCC: SD00108				

CONSECUTIVE RELATIONSHIPS:

001 662120 00 98-F-331-202 00
 JAIL GOOD TIME CREDITED FROM SENTENCE BEGIN DATE
 70/72/73/80/81/82/83/84/85/86TH LEG:MANDATORY SUPV PROSPECT

REMARKS...: ON 09/04/2020 PROMOTED TO: L1 EFF DATE: 09/01/2020
 LB
 9/8/20 UNSTACK/RESTACK
 JL

UNIT COPY T.D.C.J.-INSTITUTIONAL DIVISION 09/08/2020-107
ITS40952 INMATE TIMESLIPS

9/16/20 MITCHELL,MAURICE

TDC:00648121 SID:02592332 UNIT: TL
HOUSING/BED: 12FB2 B28

*PRJ-REL-DATE: 06 10 2085 MAX-EXP-DATE: 06 10 2085
*INMATE STATUS: L1 W MAX TERM: 95 00 00

FLAT TIME CREDITED:	27 07 05	CALC BEGIN DATE:	02 01 1993
GOOD TIME CREDITED:	0 01 27	TDC RECEIVE DATE:	09 08 1993
BONUS TIME CREDITED:	0 00 00	GOOD TIME LOST:	2191
WORK TIME CREDITED:	0 01 29	WORK TIME LOST:	1951
*TOTAL TIME CREDITED:	27 11 01		

*STATUS EFFECT DATE: 09 01 2020 JAIL GOOD TIME RECEIVED: YES

DEC: DB00061 QCC: SD00108

*TIME CALCULATIONS DO NOT INCLUDE ABSENCES FOR CURRENT MONTH
PAROLE DATA: INTERVIEW DATE 03/10 TDC CALC. DATE 02/25

(7)

SID: 02592332 TDCJ: 00648121 NAME: MITCHELL, MAURICE
 UNIT: TL HSNG LOC 12EA2 13 B ITP DUE: 04/06 LAST PRINTED:

PAROLE VOTED	WINDHAM SCHOOL DISTRICT	COLLEGE	INTENSIVE VOLUNTEER PROGRAMS
PRSAP	ACADEMIC	CA2Y	—
IPTC	VOCATIONAL	BA	—
DWI	COGNITIVE SKL	MA	—
PRTC	PARENTING	AAS	—
SOEP	ON-THE-JOB	COLLEGE VOC	—
		NO COLLEGE	—

REQUEST FOR LEAVE TO FILE THE ENCLOSED Non-Superseding AMENDED COMPLAINT, continued...

..... [C]lass of UNNAMED inmates confined to the ALLEN B. POLUNSKY Unit, of the TEXAS DEPARTMENT OF CRIMINAL JUSTICE, Institutional Division located in POLK County Livingston, Texas in that many of the inmates have been 'intentionally & knowingly' [I]nfected with the "KNOWN DEADLY COVID-19 Corona Virus, and totally and completely left in their individual cells, "TO DIE" and in face of continuous request for RELIEF, and medical attention, are told; "WE WILL NOT SEE YOU!!!!!!".

See; ENCLOSED EVIDENCE Plaintiff; MAURICE MITCHELL, Exhibit of Evidence [MM-63-2020] Pages, (1, COVID-19 negative) page (5) COVID-19 POSITIVE, Page 2 thru 3 'intentionally infected with virus, Pages 17 thru 20 & page 3(a) thru 3(b). "LEFT TO DIE" and denied all manner of treatment, or help!!!!

I.

COUNSEL OF RECORD, REFUSES TO RESPOND TO REQUEST TO AMEND

(a). As shown on the enclosed SEPTEMBER 21, 2020 LETTER addressed to the Plaintiff's inmate's attorney of record, He refuses to respond to request to Amend and again on OCTOBER 16, 2020 Plaintiff class representative wrote counsel of records and THEY again refuse to acknowledge receipt of the AMENDED COMPLAINT.

II.

*CONCLUSION *

WHEREFORE, Premises Considered, plaintiff class members herein, request LEAVE of this HONORABLE COURT, for just cause, and in good-faith, that permission shall in all things be "GRANTED", and that the clerk's office be ordered to SERVE a copy of this AMENDED COMPLAINT upon the Defense Counsel, the Defendant's counsel, the office of the Attorney General, and Plaintiff's Attorney of records, and to RETURN A COPY of this AMENDED COMPLAINT to the Plaintiffs named on page one herein, along

8

TEXAS DEPARTMENT OF CRIMINAL JUSTICE

Security Detention Level Review/Placement on Restriction

E-13

I. OFFENDER INFORMATION

Offender Name: MITCHELL, MARIE; TDCJ Number: 645121; Custody: 13/IA; Unit: TL

II. PLACEMENT ON RESTRICTION (Initial Placement ONLY)

Instructions: The highest-ranking security supervisor on duty has the authority to initially place an offender on restriction. The shift supervisor (may be the same individual) shall document the placement in Sections I. and II. of this form; and then notify the unit classification committee (UCC) or the restrictive housing committee (RHC) by providing them this form intact.

As of (date) _____, at (time) _____, the above-named offender has been placed on restriction, in accordance with SM-01.29, "Offender Management Restrictions." [NOTE: Place a ✓ in front of each restriction imposed].

Paper gown; Paper mask; Food loaf
 Personal property (i.e., container; hard plastic; lock; metal; hotpot; etc.)

• List specific property restricted: _____

State-Issued property (i.e., mattress; blanket; sheet; etc.)

• List specific property restricted: _____

Reason for placement: _____

Documented by: _____
 (Print Name) _____ (Rank and Title) _____ (Signature) _____ (Date) _____

➔ The restriction(s) may only continue up to 24 hours without review by the UCC/RHC (or until their earliest following workday).

III. UCC / RHC REVIEW

Instructions: This section shall be used for both UCC and RHC reviews. If the form is being used for a *subsequent review, the RHC must ensure Section I (Offender Information) is completed and the previous I-203 is available for review.

REVIEW: (one) Initial; *Subsequent; Review held on 9/1/2020 at 081 by the (one) UCC; RHC.
 (Date) (Time)

Type of Review: Restriction; 7-day; 30-day; Special Review;

RESTRICTIONS: The UCC/RHC has reviewed the offender's record and has decided to either impose, continue, or discontinue restrictions, as noted below:

- Paper gown? YES; NO Review/Expiration Date: _____
 - Food loaf? YES; NO Review/Expiration Date: _____
 - Personal property? YES; NO Review/Expiration Date: _____

• List specific property restricted: _____

- State-Issued property? YES; NO Review/Expiration Date: _____

• List specific property restricted: _____

LEVEL: I; II; or III

Justification for decision(s): LIVE CLASS/30 DAY REVIEW Prior to 1

8/30/19 (2020)

Committee Members (Print name and rank or title): J. H. H. / J. G. and M. M. / M. L.

IV. OFFENDER NOTIFICATION

Instructions: Correctional staff shall notify the offender that the UCC/RHC decision will expire on the date indicated or be reviewed for continuation, request the offender to sign (if the offender refuses, document the refusal), and provide the offender a copy of the completed document.

Notified by: S Beck SOB 9/1/2020 Refused to Sign
 (Employee -- print name and sign initials) (Date and Time) (Offender signature and date)

TEXAS DEPARTMENT OF CRIMINAL JUSTICE
Security Detention Level Review/Placement on Restriction

E-13

I. OFFENDER INFORMATION

Offender Name: MITCHELL, MAURICE; TDCJ Number: 648121; Custody: L3/A1; Unit: 7L

II. PLACEMENT ON RESTRICTION (Initial Placement ONLY)

Instructions: The highest-ranking security supervisor on duty has the authority to initially place an offender on restriction. The shift supervisor (may be the same individual) shall document the placement in Sections I. and II. of this form; and then notify the unit classification committee (UCC) or the restrictive housing committee (RHC) by providing them this form intact.

As of (date) _____, at (time) _____, the above-named offender has been placed on restriction, in accordance with SM-01.29, "Offender Management Restrictions." [NOTE: Place a ✓ in front of each restriction imposed]:

Paper gown; Paper mask; Food loaf
 Personal property (i.e., container; hard plastic; lock; metal; hotpot; etc.)

- List specific property restricted: _____
- ____ State-Issued property (i.e., mattress; blanket; sheet; etc.)
- List specific property restricted: _____

Reason for placement: _____

Documented by: _____
(Print Name) _____ (Rank and Title) _____ (Signature) _____ (Date) _____

→ The restriction(s) may only continue up to 24 hours without review by the UCC/RHC (or until their earliest following workday).

III. UCC / RHC REVIEW

Instructions: This section shall be used for both UCC and RHC reviews. If the form is being used for a *subsequent review, the RHC must ensure Section I (Offender Information) is completed and the previous I-203 is available for review.

REVIEW: () Initial; *Subsequent; Review held on 8/30/2019 at 1102 by the (one) UCC; RHC.
(Date) (Time)

Type of Review: Restriction; 7-day; 30-day; Special Review;

RESTRICTIONS: The UCC/RHC has reviewed the offender's record and has decided to either impose, continue, or discontinue restrictions, as noted below:

- Paper gown?	<input type="checkbox"/> YES; <input checked="" type="checkbox"/> NO	Review/Expiration Date: _____
- Food loaf?	<input type="checkbox"/> YES; <input checked="" type="checkbox"/> NO	Review/Expiration Date: _____
- Personal property?	<input type="checkbox"/> YES; <input checked="" type="checkbox"/> NO	Review/Expiration Date: _____

- List specific property restricted: _____
- State-Issued property? YES; NO Review/Expiration Date: _____
- List specific property restricted: _____

LEVEL: I; II; or III

Justification for decision(s): None

8/30/19 (20.0)

Committee Members (Print name and rank or title): M. Cobett et al

; and

IV. OFFENDER NOTIFICATION

Instructions: Correctional staff shall notify the offender that the UCC/RHC decision will expire on the date indicated or be reviewed for continuation, request the offender to sign (if the offender refuses, document the refusal), and provide the offender a copy of the completed document.

Notified by: Dominique A. H.
(Employee) print name and sign initials)

11-B2D/2147
(Date and Time)

Received 8/30/19
(Offender signature and date)

10

Rev; Maurice Mitchell
 Specialized Legal Technician(SLT),
 SOUTHERN CAREER INSTITUTE
 The (P)aralegal School of 'Arts' & 'Business'
 (P)aralegal No# (P)-7g-9169-2
 Valedictorian 1991
 Allen B. Palunsky Unit, TDCJ, I-D
 TDCJ, I-D No# 00648121
 3872 F.M. 359 South
 Livingston, Texas 77351

JULY 20, 2020.

Mr. William Barr
 OFFICE OF THE UNITED STATES
 OF AMERICA - ATTORNEY GENERAL
 5614 Department of Justice,
 950 Pennsylvania Ave., N.W.
 Washington, D.C. 20530-0001

Mr. William Lee Non
 Polk County, Criminal District
 Attorney's Office
 101 West Mill Street, Suite 247
 Livingston, Texas
 77351

-HANK LAMB -
 The Prison Talk Show Radio
 KPFT 90.1 F.M. Radio - Houston
 Media Correspondence
 419 Lovett Blvd
 Houston, Texas 77036

Mr. Eddie Franklin
 - HALO - Private Investigators
 Attorney At Law
 610 North 14th Street
 Corsicana, Texas 75110

Mr. Lorie Davis, Director,
 TEXAS DEPARTMENT CRIMINAL JUSTICE,
 Institutional Division
 P. O. Box 99
 Huntsville, Texas 77342-0099

Hon; TOM BROWN, Judge
 Polk County, Judicial Center
 101 West Mill Street, Suite 157
 Livingston, Texas
 77351

RE: MAURICE MITCHELL V. COOY WEBB, et. al
UNITED STATES DISTRICT COURT-EASTERN DISTRICT OF TEXAS
 Civil Action No# 4:18-CV-03829

Dear Mad'm/Sir,

PLEASE!! Please be advised, that this is the THIRD TIME, that TDCJ, officials have tried to take my life, to literally Kill Me, and in face of my continuous efforts to expose these plots, all my efforts are falling on deaf ears. In the above civil action number, a Sergeant, by ORDERS of Captain Webb, STRUCK ME IN THE RIGHT SIDE TOP OF THE HEAD WITH MANCUFFED GLAD HANDS IN FRONT OF FIVE BLACK NURSES, and on CAMARA, with impunity. I filed suit, and the crooked Judge DISMISSED the suit under the other strike rule, in face of 911 emergency ambulance call to rush me to HUNTSVILLE MEMORIAL HOSPITAL with a hole in my head and blood everywhere.

Now, in broad open day light and on cameras they infect me with the covid-19 virus, in an attempt to Murder me again!!!

Please see the enclosed sworn Affidavit, and contact me with your inmate, to help me in these crucial matters. I'm requesting protective custody, and criminal investigation, from these criminals. Please respond. And publish my plight.

Respectfully:


 Rev; Maurice Mitchell

af.;

Rec'd 8/13/20
35

**CORRECTIONAL MANAGED HEALTH CARE
PROVIDER WRITTEN RESPONSE TO SICK CALL REQUEST**

Patient Name: MITCHELL, MAURICE
TDCJ #: 648121
Date: 08/12/2020 13:31
Facility: POLUNSKY (TL)
Housing: 12EA2 CELL 13

Sick Call Request Date: 8/8

(This communication is to be attached to the sick call request form and returned to the patient.)

This communication is being sent to you to answer your sick call request. If you have questions about the information or do not understand it, you may drop a sick call request for additional information. If you currently are being treated for any medical condition, we would like to encourage you to follow your treatment plan like taking your medication regularly, keeping your scheduled appointments in the clinic and with specialists and coming to clinic for your scheduled treatments and check-ups.

Started Meds:

DIPHENHYDRAMINE 25MG CAPSULE
PROVIDER: REILLEY, PAUL K
REFILLS: 0 / 2

1 CAPS ORAL TWICE DAILY for 30 Days

START DATE: 08/12/2020 13:31 PM
EXPIRATION DATE: 11/10/2020 13:31 PM

Electronically Signed by REILLEY, PAUL K, PA on 08/12/2020.
##And No Others##

**CORRECTIONAL MANAGED HEALTH CARE
PROVIDER WRITTEN RESPONSE TO SICK CALL REQUEST**

36

Patient Name: MITCHELL, MAURICE
 TDCJ #: 648121
 Date: 04/22/2020 10:30
 Facility: POLUNSKY (TL)
 Housing: 12EF2 CELL 83

Rec: 4/23/20
8:20 PM.
Thursday

Sick Call Request Date: 4/18

(This communication is to be attached to the sick call request form and returned to the patient.)

This communication is being sent to you to answer your sick call request. If you have questions about the information or do not understand it, you may drop a sick call request for additional information. If you currently are being treated for any medical condition, we would like to encourage you to follow your treatment plan like taking your medication regularly, keeping your scheduled appointments in the clinic and with specialists and coming to clinic for your scheduled treatments and check-ups.

Started Meds:

CLOTRIMAZOLE 1% CREAM 15GM

PROVIDER: REILLEY, PAUL K

REFILLS: 0 / 0

1 APPLIES TOPICALLY TWICE DAILY for 90 Days
KOP

START DATE: 04/22/2020 10:34 AM

Special Instructions: APPLY THIN LAYER
SPARINGLY

EXPIRATION DATE: 7/21/2020 10:34 AM

DIPHENHYDRAMINE 25MG CAPSULE

PROVIDER: REILLEY, PAUL K

REFILLS: 0 / 2

1 CAPS ORAL TWICE DAILY for 30 Days

START DATE: 04/28/2020 10:32 AM

EXPIRATION DATE: 7/27/2020 10:32 AM

THERA DERM BODY LOTION 8OZ

PROVIDER: REILLEY, PAUL K

REFILLS: 0 / 0

1 APPLIES TOPICALLY EVERY EVENING for 90
Days KOP

START DATE: 05/26/2020 10:33 AM

EXPIRATION DATE: 8/24/2020 10:33 AM

Other medications expire in August.

Electronically Signed by REILLEY, PAUL K. PA on 04/22/2020.
##And No Others##

Rec: 13-20
MITCHELL,MAURICE

TDC:00648121 SID:02592332 UNIT: TL
HOUSING/BED: 12EF2 B83

*PRJ-REL-DATE: 06 10 2085 MAX-EXP-DATE: 06 10 2085
*INMATE STATUS: L3 W MAX TERM: 95 00 00

FLAT TIME CREDITED:	26 10 14	CALC BEGIN DATE:	02 01 1993
GOOD TIME CREDITED:	0 01 23	TDC RECEIVE DATE:	09 08 1993
BONUS TIME CREDITED:	0 00 00	GOOD TIME LOST:	2191
WORK TIME CREDITED:	0 01 26	WORK TIME LOST:	1951
*TOTAL TIME CREDITED:	27 02 03		

*STATUS EFFECT DATE: 11 24 2018 JAIL GOOD TIME RECEIVED: YES
DEC: DB00061 QCC: SD00108

*TIME CALCULATIONS DO NOT INCLUDE ABSENCES FOR CURRENT MONTH
PAROLE DATA: INTERVIEW DATE 03/10 TDC CALC. DATE 05/30

12EF
83
37

12:23 A.M.

JULY 12, 2020 A.D.

39

SWORN AFFIDAVIT

My name is MAURICE MITCHELL, TBC3, I-B Mod 548121 who being over the age
of twenty one (21) of sound mind and body, do hereby and state the follow-
ing based on the affiant's personal knowledge, understanding and sincere-

38

I - 60

R E Q U E S T

TO: MAJOR M. TAHUMI, 12 Bldg Major;

Date: January 06, 2020.

Address: 3872 F.M. 350, South

cc/files

sold. On JULY 09, 2020 - affiant could not breath good, nose and throat was clogged
up with thick mucus, snott, and snivels, due to the thick mucus craining, dripping
and causing affiant to sneeze and cough.

40

AFFIDAVIT OF MAURICE MITCHELL, Continued...

(IT IS NOTED THAT ON JUNE 11, 2020 Affiant's TDCJ,I-D OFFICIAL COVID-19 screen test results was returned to him on JUNE 14, 2020 stating; "NEGATIVE". Affiant is confined in AD-SEG, 24/7.

Affiant began to experience bad night sweats, that forced him to sleep on a large bath drying towel in order to catch the large quantity of sweat.

July 10, 2020 - Affiant is now experiencing "SWEAT" and "Severe Arthritis" symptoms. Pain all over the entire body simultaneously. Sweating profusely, day and night., Lethargic.

On July 11, 2020 - Affiant informed the sick call nurses that he had been infected with the covid-19 virus, and she stated she would have him pulled out for examination. In order to verify that all affiant has stated concerning his physical conditions, the physical body will not lie.

Due to the intense heat, high body temperatures, a large FEVER BLISTER HAS RUPTURED ON THE LEFT SIDE OF AFFIANT'S mouth. Proof, without doubt of the unusual body temperatures.

July 12, 2020 (1:33, A.M.) at the time of preparing this affidavit, affiant has recovered substantially, ONLY BECAUSE HE, knows what to do in order to preserve his own life.

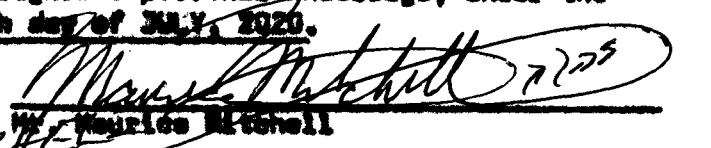
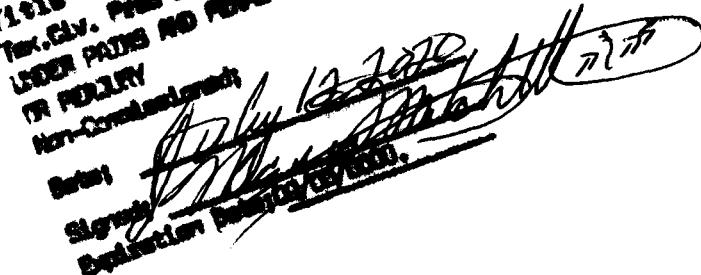
Your affiant is [63] years old.

Anything further, affiant sayth not;

Executed on this 12th day of JULY 2020, A.D.


Maurice Mitchell 7/12/20
Mr. Maurice Mitchell
TDCJ, I-D, HOF 00646121

Subscribed and sworn to on the undersigned's personal knowledge, under the pains and penalty of perjury on this 12th day of JULY, 2020.


Maurice Mitchell 7/12/20
Mr. Maurice Mitchell
~~Maurice Mitchell~~
AUTHORIZED BY STATUTE
Title 6 Chap. 132.003 -132.003
TAX-CIV. PROC & R. CRIM
UNDER POWS AND PEWLTY
OR PDRITY
Non-Complaints
Date: July 12, 2020
Signed: 
Maurice Mitchell 7/12/20
Execution Date: July 12, 2020

Texas Department of Criminal Justice

**STEP 1****OFFENDER
GRIEVANCE FORM**Offender Name: MAURICE MITCHELL TDCJ # 648121Unit: POLUNSKY Housing Assignment: 12 E; 83 cellUnit where incident occurred: ALLEN B. POLUNSKY Unit**OFFICE USE ONLY**Grievance #: 41

Date Received: _____

Date Due: _____

Grievance Code: _____

Investigator ID #: _____

Extension Date: _____

Date Retd to Offender: _____

You must try to resolve your problem with a staff member before you submit a formal complaint. The only exception is when appealing the results of a disciplinary hearing.

Who did you talk to (name, title)? Officer ROGER BURK, C.O. V When? 03/30/20

What was their response? SHE SAID SHE GAVE YOU MATERIALS, Friday 03/27/20

What action was taken? I received I-60 requesting legal materials THAT I DID NOT RECEIVE!!

State your grievance in the space provided. Please state who, what, when, where and the disciplinary case number if appropriate

This is an EMERGENCY GRIEVANCE. INDIRECT RETALIATION. as foreseen.

Please be advised, that on FEBRUARY 25, 2020 LEGAL PROCEEDINGS were instituted against officer: ALICE R. MARIARITY C. O. IV in Polk County Court at law, and a copy of the COMPLAINT was served upon officer Mariarity by me.

The Complaint states explicitly, that any retaliation whether directly, or indirectly, resulting from the utilization of a LEGAL Process, will swiftly cause the failing PEACE BOND, with the polk county court at law, and the launching of criminal investigation and criminal charges for violation of the civil rights of a person in custody.

On TUESDAY March 31, 2020 Officer Alice R. Mariarity C.O. IV came on 12 Building E Block picking up General Library Books, and went to every cell that had books and picked those books up, however, she went to cell 82 and obtained his book, then passed grievant up, cell 83 and went to cell 84 and picked up his book. She left the book in my cell with "INTENT" to tell library staff, that I STOLE THE BOOK.

ALSO, officer ALICE R. MARIARITY has..... RECRUITED Her long time school mate, friend, and possible family member, officer: CRYSTAL N. ASH, C.O. IV, Law Library staff. On FEBRUARY 31, 2020 Officer: ROGER BURKS, C.O. IV law library staff came to grievant's cell, and stated: MS ASH SAYS SHE GAVE YOU LEGAL MATERIALS ON FRIDAY, and I COME TO PICK THEM UP!!!

Please be advised, that this is a complete "LIE" and indirect retaliation on behalf of Alice R. Mariarity. LAW LIBRARY HAS BEEN DENYING ME ACCESS FOR ALMOST FOUR WEEKS, and NOBODIE DELIVERED TO ME ANY LEGAL MATERIALS ON FRIDAY. I am requesting investigation. Please ask this officer the 'Time' she gave me anything, and this is why, WE HAVE SURVEILLANCE CAMARAS. Please review the camera for FRIDAY MARCH 27, 2020 and you

~~REASON WHAT SO EVER, and did not give me any law materials at all.~~

~~I have told Major, MOHAMMAD TAHAMI, that officer: ALICE R. MARIABILITY will retaliate on three different occasions, and each time, he stated " SHE IS NOT GOING TO RETALIATE AGAINST YOU. !!!" Major, I'VE BEEN HERE 30 YEARS, and this is what the devil does. Please control your officers.~~

~~Now, Law library staff will come down to tear up my cell, and confiscate my legal documents on pretext, that I have their fabricated legal work, in order to justify taking my legal documents, and to DENY ME ACCESS TO THE LAW LIBRARY. On March 31, 2020 officer~~

~~ASH sent me an I-60 stating THAT I WILL RECEIVE NO MORE LEGAL MATERIALS UNTIL THEY GET BACK, STATUTORY~~

Action Requested to resolve your Complaint. THAT I DON'T EVEN HAVE.

~~PLEASE CALL ME OUT FOR AN INTERVIEW, ABOUT THIS INDIRECT RETALIATION, AND~~

~~STOP YOUR OFFICERS FROM THIS COLLUSION, AND RETALIATORY MEASURES.~~

Offender Signature: _____ Date: APRIL 01, 2020

Grievance Response:

Signature Authority: _____ Date: _____

If you are dissatisfied with the Step 1 response, you may submit a Step 2 (I-128) to the Unit Grievance Investigator within 15 days from the date of the Step 1 response. State the reason for appeal on the Step 2 Form.

Returned because: *Resubmit this form when the corrections are made.

- 1. Grievable time period has expired.
- 2. Submission in excess of 1 every 7 days. *
- 3. Originals not submitted. *
- 4. Inappropriate/Excessive attachments. *
- 5. No documented attempt at informal resolution. *
- 6. No requested relief is stated. *
- 7. Malicious use of vulgar, indecent, or physically threatening language. *
- 8. The issue presented is not grievable.
- 9. Redundant, Refer to grievance # _____
- 10. Illegible/Incomprehensible. *
- 11. Inappropriate. *

UGI Printed Name/Signature: _____

Application of the screening criteria for this grievance is not expected to adversely Affect the offender's health.

Medical Signature Authority: _____

OFFICE USE ONLY

Initial Submission UGI Initials: _____

Grievance #: _____

Screening Criteria Used: _____

Date Recd from Offender: _____

Date Returned to Offender: _____

2nd Submission UGI Initials: _____

Grievance #: _____

Screening Criteria Used: _____

Date Recd from Offender: _____

Date Returned to Offender: _____

3rd Submission UGI Initials: _____

Grievance #: _____

Screening Criteria Used: _____

Date Recd from Offender: _____

Date Returned to Offender: _____

TEXAS DEPARTMENT OF CRIMINAL JUSTICE

Security Detention Level Review/Placement on Restriction

I. OFFENDER INFORMATION

II. PLACEMENT ON RESTRICTION (Initial Placement ONLY)

Instructions: The highest-ranking security supervisor on duty has the authority to initially place an offender on restriction. The shift supervisor (may be the same individual) shall document the placement in Sections I. and II. of this form; and then notify the unit classification committee (UCC) or the restrictive housing committee (RHC) by providing them this form intact.

As of (date) _____, at (time) _____, the above-named offender has been placed on restriction, in accordance with SM-01.29, "Offender Management Restrictions." [NOTE: Place a ✓ in front of each restriction imposed]:

- Paper gown;** **Paper mask;** **Food loaf**
 Personal property (i.e., container; hard plastic; lock; metal; hotpot; etc.)

 - List specific property restricted: _____

State-Issued property (i.e., mattress; blanket; sheet; etc.)

 - List specific property restricted: _____

Reason for placement:

Documented by: _____

→ The restriction(s) may only continue up to 24 hours without review by the UCC/RHC (or until their earliest following workday).

III. UCC / RHC REVIEW

Instructions: This section shall be used for both UCC and RHC reviews. If the form is being used for a *subsequent review, the RHC must ensure Section I (Offender Information) is completed and the previous I-203 is available for review.

REVIEW: () Initial; () *Subsequent; Review held on 13/3/2020 at 11:00 by the () UCC; () RHC.
(Date) (Time)

Type of Review: **Restriction;** **7-day;** **30-day;** **Special Review;**

RESTRICTIONS: The UCC/RHC has reviewed the offender's record and has decided to either impose, continue, or discontinue restrictions, as noted below:

- Paper gown? YES; NO Review/Expiration Date: _____

- Food loaf? YES; NO Review/Expiration Date: _____

- Personal property? YES; NO Review/Expiration Date: _____

• List specific property restricted: _____

- State-Issued property? YES; NO Review/Expiration Date: _____

• List specific property restricted: _____

LEVEL: I: II: or III

Justification for decision(s):

8/30/19(20.0) Committee Members (Print name and rank or title): T. J. and P. (Mark) Dic

IV. OFFENDER NOTIFICATION

Instructions: Correctional staff shall notify the offender that the UCC/RHC decision will expire on the date indicated or be reviewed for continuation, request the offender to sign (if the offender refuses, document the refusal), and provide the offender a copy of the completed document.

Notified by: John Franklin Jr. (Employee -- print name and sign initials) Date: 10/10/04 (Date and Time)
John Franklin Jr. (Offender signature and date)

TEXAS DEPARTMENT OF CRIMINAL JUSTICE

HEALTH SERVICES DIVISION

SICK CALL REQUEST

(43)

REQUESTING
Single Dossage
until K.O.D.
Arrives

PART A: (To be completed by offender)

Offender's Name: M. MitchellDate: 8-25-20Work Assignment: NA -TDCJ No.: 64812Wing No: 12 E 13Work Hours: NA -Service needed: Medical Dental Mental Health Other:Reason for Health Services Appointment: Need re-fill on AMLODIPINE High Blood Pressure, for itchy & Sore Eyes & ALL Hives, previous Days:

How long have you had this problem?

"In accordance with state law, if this visit meets offender annual health care services fee criteria, I understand that my trust fund account may be charged a \$13.55 health care services fee. I also understand that I will be provided access to health care services regardless of my ability to pay this fee."

Not A Bill

Signature of Offender

Part B: (To be completed by medical personnel – Do not write below this line)

Medical Reply: Renewal 8/26/20OPR
Medical Staff Member's SignatureAUG 27 2020

Date

HSA - 9 (Rev. 8/19)

School

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

United States Courts
Southern District of Texas
FILED

LADDY CURTIS VALENTINE § NOV 10 2020
RICHARD ELVIN KING §
•MAURICE MITCHELL § David J. Bradley, Clerk of Court
• DEAN TRAHAN §
• LOWELL GREEN §
• ERNEST WHITE, AND:
• ROBERT KERRY McCLURE, III; individually
and on Behalf of those similarly situated;
[P]laintiff&s.
VERSUS: § Civil Action No# 4:20-CV-01115
BRYAN COLLIER, in his official capacity, §
ROBERT HERRERA, in his official capacity,
LORIE DAVIS, in her individual capacity, and;
KYLER BE. FRANKLIN, C.O.III: in his individual capacity,
AND: THE TEXAS DEPARTMENT CRIMINAL JUSTICE, I-D.
[D]efendant(s), §

P L A I N T I F F (S)

FIRST AMENDED CLASS ACTION COMPLAINT

AND APPLICATION FOR TEMPORARY RESTRAINING ORDER

AND OTHER INJUNCTIVE RELIEF-IMMEDIATE MEDICAL
RELEASE FOR [I]NFECTED & VULNERABLE INMATE(S).

* MOTION FOR LEAVE TO SO FILE *

TO THE HONORABLE JUDGE OF SAID COURT:

Comes Now MAURICE MITCHELL, TDCJ, I-D No# 00648121, LOWELL GREEN
TDCJ, I-D No# 00518622. these [TWO] specific Plaintiffs being UNDER
the three [3] strike rule of Title 28 U.S.C. § 1915[g], pass the
"BAR" due to the clear, and apparent "THREAT" OF IMMINENT DANGER" Posed by the
DEADLY VIRUS OF COVID-19. See; BANDS V. O'QUIN 144 F.3d 883 [5th Cir 1998]. CIARPAGLINI V. SAINI
352 F.3d 328,330 [7th-Cir 2009]., HUNT V. UPHOFF 199 F.3d 1220[10th-Cir 1999], and are therefore
eligible to join this class action [WITHOUT] the necessity of paying a filing fee,
along with Class of plaintiff's DEAN TRAHAN, TDCJ, I-D No# 2157829, ERNEST WHITE,
TDCJ, I-D No# 02009027 and ROBERT KERRY McCLURE, III TDCJ, I-D No# 02151961 and the

Civil Action no[#] 4:20-cv-01115

Mr. Dean Trahan

TDCJ I.D # 2157829

Conviction: Possession of Control Substance in restricted zone.
Tx. Health & Safety Code § 481.114-115

Cause no[#] _____

Criminal District Court _____ County.

18 years Term: Up for Parole in 2022.

Released To: Address: _____

EXHIBIT OF EVIDENCE: [DT-52-2020]

Pages: [44]

Civil Action No# 4:20-cv-01115

Mr. Lowell Green
TDCJ. I-D no# 518622

Conviction:

Tex. Penal Code:

Criminal District Court of Dallas County, Texas

over [32] years Served Day-For-Day.

Up for Parole Since 2002 - Life Years.

Release To Dallas County.

EXHIBIT OF EVIDENCE [L - Green [LC-57-2020]]

Pages [45]

Civil Action No. # 4:20-cv-01115

Mr. Ernest White
TDCJ, I-D #02009027

Conviction: _____

Texas Penal Code: _____

Cause no. # _____

OVER _____ Years Served Day for Day _____

Term: _____ Years.

Just received a three (3) Years set off:

EXHIBIT OF EVIDENCE: [EW-34-2020]

Page [1].

(1)

PDKAR008AAHNTL

STATE OF TEXAS
BOARD OF PARDONS AND PAROLES02/26/2020
PAGE 1

NOTICE OF PAROLE PANEL DECISION

NAME: WHITE, ERNEST

SID NUMBER: 06420726

TDCJ-ID NUMBER: 02009027

TDCJ-ID UNIT OF ASSIGNMENT: POLUNSKY

HOUSING ASSIGNMENT: 12-E-F ROW-2

CELL: 84 ✓

SUBJECT: Decision Not to Grant Parole - NEXT REVIEW

After a review of your case, the Board of Pardons and Paroles decision is not to grant you parole and has set your next parole review date as 02/2023.

You have been denied parole for the reason(s) listed below:
One or more components indicated in each paragraph listed below may apply, but only one is required.

- 1D. THE RECORD INDICATES THAT THE OFFENDER HAS REPEATEDLY COMMITTED CRIMINAL EPISODES THAT INDICATE A PREDISPOSITION TO COMMIT CRIMINAL ACTS UPON RELEASE.
- 2D. THE RECORD INDICATES THE INSTANT OFFENSE HAS ELEMENTS OF BRUTALITY, VIOLENCE, ASSAULTIVE BEHAVIOR, OR CONSCIOUS SELECTION OF VICTIM'S VULNERABILITY INDICATING A CONSCIOUS DISREGARD FOR THE LIVES, SAFETY, OR PROPERTY OF OTHERS, SUCH THAT THE OFFENDER POSES A CONTINUING THREAT TO PUBLIC SAFETY.
- 11D. OTHER - 11D-INSTITUTIONAL ADJUSTMENT-LC3

The Institutional Division will monitor your treatment plan progress and will report your progress to the Board of Pardons and Paroles.

Should you have any questions regarding this notice you are to contact your unit Institutional Parole Office.

Civil Action noⁿ 4:20-cv-01115

Mr. Robert Kerny McClure
TDCJ.I-D # 02151961

Conviction: Aggravated Robbery

Texas Penal Code 29.03 /

240 Criminal District Court Fort Bend County, Texas

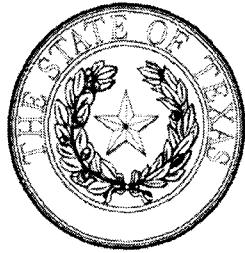
OVER three (3) Years served Day for Day.

Up for Parole December 13, 2022

Release To: 1602 Enclave Parkway # 1723
Houston, Texas 77077

EXHIBIT OF EVIDENCE: [PKC-29-2020]

Page [1].



Texas Department of Criminal Justice

Lorie Davis

Correctional Institutions Division, Director

DATE: 06/11/2020

TO: MCCLURE,ROBERT KERRY III UNIT: POLUNSKY
TDCJ #: 02151961 HOUSING: 12FB2 27 B

The result of your COVID-19 testing was negative.

Thank you for your participation in our fight against COVID 19. Please remain committed to protocols in place to enhance your safety.

Stay Safe,

Lorie Davis
CID Director

Our mission is to provide public safety, promote positive change in offender behavior, reintegrate offenders into society, and assist victims of crime.

P.O. Box 99
Huntsville, Texas 77342
www.tdcj.texas.gov

05/15/20 (rev.1)

cc/files.

(11)

Please be Advised. I have no doubt that you are attacking [ME] in behalf of your Homegirl Alice Mararity. I've reviewed MY Files to SEE if, I requested those Case citations that YOU say You gave ME on FRIDAY 3/27/20 & YES. I Did send in that REQUEST. HOWEVER, You NEVER brought them To ME. I've written Major Tabumi and Ask him to REVIEW the Surveillance Camera For FRIDAY 3/27/20 To see that YOU NEVER came To my call at all. 30 years I've been Here Ms ASH & I've seen you before. Correct Your RECORDS. You did not Give ME anything.
M. Mitchell 648121 TL
=WA=

12 E 83

I - 60

RE QUEST

TO: Crystal Ash, Lawlibrary 4/2/20

Address: 3872 FM 350 south

Force Moved on 9/11/20 To F Block (12)

Major, TAHUMI,

Please be advised. I have informed You, that I have filed a commercial injury process against one of your officers, Officer: ALICE R. MARIARITY, C.O.IV, for her open theft of my personal property, displaying her open Prejudices, and bias towards ME, for no provocation from ME.

I've explained TO YOU MAJOR, that this emotional female WILL RETALIATE, but you tell ME, that SHE WILL NOT.

On MARCH 30, said officer came to E; Block to pick up GENERAL LIBRARY BOOKS, and she stopped to pick up cell 82, passed me up and went to cell 84. I'm in cell [83], and she left me with the library book, without saying a word to me. When I tried to call her back to obtain the book, she told other inmates to TELL ME, THAT I..... SHOULD HAVE SAID SOMETHING WHEN SHE WAS NEAR MY CELL????????? My name is on that library list, just like everybody else cell she stopped by to pick up these books and THEY DID NOT HAVE TO CALL ME. It was her job to go to the cell and retrieve the books. THIS IS RETALIATION AND AN ATTEMPT TO ADVANCE A FALSE DISCIPLINARY CASE AGAINST ME. Soon, I will be falsely accused of THREATENING AN OFFICER ME this female. THEREFORE, I AM GIVING WRITTEN NOTICE TO ALL OF YOU, That this officer will retaliate, either directly, or indirectly. Please restrain your officer. I have a copy right on my Corporate name MAURICE, and any use of that name in commerce, will result in a fine of ONE MILLION DOLLARS PLEASE CONSULT YOUR DIRECTOR'S OFFICE ABOUT MY STATUS.

Respectfully;

Maurice Mitchell Secured Party Creditor MAURICE MITCHELL TDCJ NO# 648121 Polunsky Unit
T2 E; 83 Cell RA-

cc/files

Polunsky Unit Grievance Coordinator;

Mr. ~~MAHMOUD~~ TAHUMI, Unit Major;

Ms. Lorie Davis, Director, TEX, DEPT, CRIM JUST, I-D.

file copy, Originals mailed to:

Major Tahumi,

Ms. Norris, and LORIE DAVIS, Director, TDCJ,

TO: _____

APRIL 1, 2020

Date: _____

Address: _____

Appropriate Address.

Major; Tahumi,

Force Moved on 9/1/20 To F Block

(13)

Please be advised, that it is so easy for Officer ALICE R. MARIARITY, to send one of her friends down here and simply LIE ON ME, with the all time USUAL CASES that inmates get. JAGGING OFF ON THE FEMALES. And for sure, I WILL BE ORDERED TO SUMMIT TO HAND RESTRAINTS AND SUMMURILY MOVED TO F- Block, WITHOUT A DISCIPLINARY CASE, and subsequently found guilty based on a lie.

The enclosed grievance IS NOT AGAINST YOU, but your name is in it because I spoke to you about this serious matter.

I am not filing the grievance VET. Please assure me, that you will take care of this reprisal, and the issue is over. But please be mindful, THAT I AND MANY OF US, ARE AWARE OF MS. MARIARITY sexual relationship with many, many of these officers here, because her husband has severe erectile problems, and therefore let many officers have his wife.

IF YOU DON'T KNOW ABOUT THIS, NOW YOU DO. We all know about it, and this lady uses these officers to do her dirty work.

As soon as I see the need, I WILL BE FILING FOR A PEACE BOND, and criminal investigation. OVER THIRTY YEARS Sir, I've been in this hell whole, and I know how staff retaliates. Please investigate, and if you will call me out. Thanks.

MAURICE MITCHELL

648121

Polunsky Unit

12 E. 83 Cell

-NA-

cc/files

I - 6 0
R E Q U E S T

To: MAJOR: MOHAMMUD TAHUMI, Date: APRIL 01, 2020.

Address: 3872 F.M. 350 South

(14)

Major Tahumi. I'd appreciate it if you will call me out so we can discuss this reprisal that officer ALICE R. MARIARITY, C.O. IV is subjecting me to by USING her friends in the law library. Ms. CRYSTAL ASH, in behalf of MARIARITY, accuses me of having legal materials as follows:

(1). 44 S.W.3d pages 544, (2). 501 S.W.3d pages 447, and (3). 207 S.W.2d pages 149. I DO NOT HAVE THESE CASES AMONG MY LEGAL WORK, and I have no use for them. I DO NOT BELIEVE THAT THEY CAN SHOW YOU A BOOK REQUEST FROM ME.... ASKING FOR SUCH CASE CITATIONS. Tell them to show it to you, where I EVEN REQUESTED SUCH BOOKS ????? Further, PLEASE see the surveillance camera for FRIDAY MARCH 27, 2020 WHEN MS ASH STATES SHE GAVE ME ANYTHING.

MAURICE MITCHELL

648121

TL

12 E; 83 cell

-MA-

Please send your response. CALL ME OUT

**cc/files
WILLIAM BARR,
USA, ATTORNEY GENERAL**

MAJOR: Mohammad Tahumi

April 01, 2020

3872 F.M. 350 South

(15)

Major, TAHUMI,

Please be advised. I have informed You, that I have filed a commercial injury process against one of your officers, Officer: ALICE R. MARARITY, C.G.IV, for her open theft of my personal property, displaying her open Prejudices, and bias towards ME, for no prosecution from ME.

I've explained TO YOU MAJOR, that this emotional female WILL RETALIATE, but you tell ME, that SHE WILL NOT.

On MARCH 30, said officer came to E; Block to pick up GENERAL LIBRARY BOOKS, and she stopped to pick up cell #2, passed me up and went to cell 84. I'm in cell [83], and she left me with the library book, without saying a word to me. When I tried to call her back to obtain the book, she told other inmates to TELL ME, THAT I..... SHOULD HAVE SAID SOMETHING WHEN SHE WAS NEAR MY CELL????????? My name is on that library list, just like everybody else call she stopped by to pick up these books and THEY DID NOT HAVE TO CALL ME. It was her job to go to the cell and retrieve the books. THIS IS RETALIATION AND AN ATTEMPT TO ADVANCE A FALSE DISCIPLINARY CASE AGAINST ME. Soon, I will be falsely accused of THREATENING AN OFFICER ME this female. THEREFORE, I AM GIVING WRITTEN NOTICE TO ALL OF YOU, That this officer will retaliate, either directly, or indirectly. Please restrain your officer. I have a copy of my Corporate name MAURICE, and any use of that name in commerce, will result in a fine of ONE MILLION DOLLARS PLEASE CONSULT YOUR DIRECTOR'S OFFICE ABOUT MY STATUS.

Respectfully;

Maurice Mitchell Second Party Creditor MAURICE MITCHELL TECJ 100 04/21 Palunsky Unit
12 E, B cell -SA-

cc/files

Polunsky Unit Grievance Coordinator;
Mr. MUHAMMED TAWAKI, Unit Major;
Ms. Lorie Davise, Director, TEX, DEPT, CRIM JUST, I-D.

To: MS. LORIE DAVISE Director, TDCJ,I-D

Date: APRIL 1, 2020.

Address: P. O. Box 99 - Huntsville, Texas 77342-0099

Major Tahumi

(16)

As Silaum Alikuna. I have reported
to Officer Alisse NORIARITY C.O.I TO Captain JEKORIA CARTER
She's keep on Degrading ME necessites, & cloth.
She's Treated For NO Reason in My Port. I havnt done
Anything to This Lady. On, 12-9-19 shakedown SHE
Took my Radio → Headphones, Trying to Hurt me by leaving
ME nothing to listen to my Radio with. Plus she did
not give me Confiscation Papers WITHOUT I
been REPRESSED Major. The Headphones BROKE & I
Fixed them. The work Perfectly & is not Harmful to
anyone. Headphones carry D.C. Battery Power, NO Electric
Shock. Please ORDER your Officer To Stop mistreating ME
& RETURN MY Headphones OR Replace them. WJR
MAURICE MITCHELL aka ISSA WULI (e48131) IL

12 E 83

*Maurice Mitchell, Pro-se

cc/fils

I-60

RE QUEST
cc/files
Family Members;

TO: Mr. Mohammad Tahani; Major ASD, At 12-16-19

Address 3872 F.M. 350. Suite

Major; Tahmi, Grievance Coordinator,

My records show that on or about JULY 13, 2020 MONDAY MORNING, a grievance was handed over to OFFICER; STEVEN MORRIS, C.O. V, in that "WE" have been instructed to give (ALL) grievances to the UNIT NECESSITY OFFICER, because the grievance office needs an escape/excuse, as a shield to say: "THEY DID NOT RECEIVE THE GRIEVANCE". On said date the grievance was given to officer MORRIS, to turn in, concerning the INFECTION OF THE COVID-19 virus. MORE THAN THIRTY DAYS (30) have passed and the grievance office has not acknowledged receipt of the grievance filed against officer; KYLER B. FRANKLIN C.O. III.

At this time I am requesting that the grievance office acknowledge receipt of said grievance and provide us with the grievance number.

Major; Tahmi, please insure compliance.

Thank you. Respectfully; cc/filed

Major; MAURICE
Grievance Coordinator.

MAURICE MITCHELL

643121

Palunsky Unit

12 E; 13-Gcell

-NA-

Please send your response.

I 2 6 9
R E Q U E S T

To: _____

Date: September 07, 2020

Address: 3872 F., 350 South

cc/f/cos

Grievance office
Christina P. Norris

(7)(a)

Third (3rd) Request
No Response Meaws
You've thrown it away!!

I - 60

REQUEST

To: Grievance office, C. Norris Date: 9/16/20

Address: 3822 FM 350 south

This is my 3rd request for you to acknowledge receipt
of my Grievance. You can resubmit it ³ date it for now
~~NOT JULY~~)

This grievance you spoke of was never received.
This is my 3rd request for you to acknowledge receipt
of my Grievance. On July 13, 2020 - I mail (hand Delivered)
Gave a Grievance over to officer STEVEN MORRES, C. O. #~~11~~ the
Ad-Sig Necessities officer: to bring down to the grievance
office. It is now AUGUST 25, 2020 and you still
have not acknowledged receipt nor processed my
Emergency Grievance whereas, I have been intentionally
& knowingly infected with CORONAVIRUS by officer
KYLER, B. FRANKLIN, C. O. #~~11~~. Please acknowledge
Receipt & send ME the Grievance #.

MARIE MITCHELL

648121

TL

12 F 28

-NA-

Constipated

Please prescribe for Bowel
Movement (LACTULOUS*)

Laxative

COVID-19
Patient

Name: M. Mitchell No: 648121 Unit: 72
Living Quarters: 12 E 13 Work Assignment: WT

DISPOSITION: (Inmate will not write in this space)

Rec 9/21/20

Your sick call request (SCR) has been screened by Medical and has been determined not to be emergent or urgent. Due to pandemic COVID-19, to limit unit movement and enhance your safety, all non-emergent/non urgent requests will be deferred. All medication renewals will continue to be reviewed. In the meantime, you may resubmit a SCR if your symptoms worsen.

SEP 05 2020


INMATE REQUEST TO OFFICIAL

REASON FOR REQUEST: (Please check one)

cc/files

PLEASE ABIDE BY THE FOLLOWING CHANNELS OF COMMUNICATION. THIS WILL SAVE TIME, GET YOUR REQUEST TO THE PROPER PERSON, AND GET AN ANSWER TO YOU MORE QUICKLY.

1. Unit Assignment, Transfer (Chairman of Classification, Administration Building)
2. Restoration of Lost overtime (Unit Warden-if approved, it will be forwarded to the State Disciplinary Committee)
3. Request for Promotion in Class or to Trusty Class (Unit Warden- if approved, will be forwarded to the Director of Classification)
4. Clemency-Pardon, parole, early out-mandatory supervision (Board of Pardons and Paroles, 8610 Shoal Creek Blvd. Austin, Texas 78757)
5. Visiting List (Asst. Director of classification, Administration Building)
6. Parole requirements and related information (Unit Parole Counselor)
7. Inmate Prison Record (Request for copy of record, information on parole eligibility, discharge date, detainees-Unit Administration)
8. Personal Interview with a representative of an outside agency (Treatment Division, Administration Building)

NOT A Bill Chronic Patient
TO: M.D. Montgomery Med Dept DATE: 9/4/20
(Name and title of official)
ADDRESS: 3872 FM 375 South

18

Please Be Advised - After Contracting COVID-19, I've been Placed on Quarantine and DENIED any and ALL medical Attention. Absolutely NOTHING has been given to Fight or COMBAT Said Virus. NOTHING. I am LEFT TO DIE! It has been since AUGUST 5, 2020* with NO Medication. The VIRUS lingers in My Body Causing incessant Flu like symptoms. I AM REQUESTING "Anti-biotics", "Cold Medication", "Robatusan", Cold medications & Pain Medication. Your Failure to Act shall be "Deliberate Indifference".

Name: M. Mitchell

No: 648121

Unit: TL

Living Quarters: 12-E:13 TOP

Work Assignment: NA-

DISPOSITION: (Inmate will not write in this space)

* Correction: July 5, 2020 mm.

Rec: 9/21/20

Prisoner Review

SEP 04 2020

JRW

INMATE REQUEST TO OFFICIAL

cc/U.S. District

Judge:

Attorney: John R. Keville
HoustoN, TX

REASON FOR REQUEST: (Please check one)

PLEASE ABIDE BY THE FOLLOWING CHANNELS OF COMMUNICATION. THIS WILL SAVE TIME, GET YOUR REQUEST TO THE PROPER PERSON, AND GET AN ANSWER TO YOU MORE QUICKLY.

1. Unit Assignment, Transfer (Chairman of Classification, Administration Building)
2. Restoration of Lost overtime (Unit Warden-if approved, it will be forwarded to the State Disciplinary Committee)
3. Request for Promotion in Class or to Trusty Class (Unit Warden-if approved, will be forwarded to the Director of Classification)
4. Clemency-Pardon, parole, early out-mandatory supervision (Board of Pardons and Paroles, 8610 Shoal Creek Blvd. Austin, Texas 78757)
5. Visiting List (Asst. Director of classification, Administration Building)
6. Parole requirements and related information (Unit Parole Counselor)
7. Inmate Prison Record (Request for copy of record, information on parole eligibility, discharge date, detainees-Unit Administration)
8. Personal Interview with a representative of an outside agency (Treatment Division, Administration Building)

Laurie J. Montgomery Med Dept

TO: PA / MD / RN /
(Name and title of official)

DATE: 9/2/20

ADDRESS: 3872 FM. 350 South

136-2A-5C

(69)

ccfiles Sick Call
Grievance REQUEST

Office
Major: Tahseen

Out of High blood
Pressure Medication
Need Single Dosage
Out of Beendryl Need
Single Dosages

To: Grievance Office Date: 3/26/20

Address: 3872 F.M. 352 Sixth

What are You people doing? I've sent in
OVER 6 Sick call Request Asking for
Single Dosage until my ROP arrive, to no
Avail. I've Told 5 different Nurses I'm
Out of Medications - including my Beclodil
& High Blood Medicines. Nurse Peters
says... I'll take care of it, Since 8-12-20
And Still No Medications!! (Covid-19
Kills After the Virus is Gone!!! What are
You Doing. Deliberate Indifference

M. Mitchell II
12E 13

6-18-21

TL

Duplicate
Request

'cc/files

Grievance
Office

Major: Tahuni

Sick Call
REQUEST

(20)

Out of High blood
Pressure - Medication
Need Single Dosage
Out of Benadryl. Need
Single Dosages.

To: Major Tahuni

Date: 8/26/20

Address: 3872 F.M. 350 Suite

What are You people doing? I've sent in
OVER 6 Sick call Request Asking for
Single Dosage until my KOP arrive, to no
Avail. I've Told 5 different Nurses I'm
Out of Medications, including my Benadryl
& High Blood Medication. Nurse Pickens
says - I'll take care of it. Since 8-12-20
And Still No Medications!! COVID-19
kills After the Virus is Gone!! What are
you doing. Deliberate Indifference

M. Mitchell II - 648121 IL Duplicate request
12E 13

(2)

'cc/files Sick Calf
'Grievance REQUEST
office
'Major Tahuni

Out of High blood
pressure Medication
Need Single Dosage
out of Benadryl. Need
Single Dosages.

TO: Dr. Riley. Date: 8/26/20

Address: 3872 F.M. 350 Smith

What are You people doing? I've sent in
OVER 6 Sick call Request Asking For
Single Dosage until my KOP arrive, to no
Avail. I've Told 5 different Nurses I'm
Out of Medications, Including my Benadryl
& High Blood Medication. Nurse Pickens
Says - I'll take care of it Since 8-22-20
And Still No Medications!! COVID-19
kills After the Virus is Gone!! What are
You doing, Deliberate Indifference.

M. Mitchell 648121

12E 13

TZ

cc: Pioneer Renewed
AC: Nell Renewed
AUG 26 2020
JL

(22)

Why am I not receiving my medication?
My High Blood Pressure medication has run out.
What's going on ??

Referred to MD/MLP for Med Renewal
Norvasc

AUG 23 2020

CLP

M. Mitchell 648121

12 E 13

Did Not JL
Start Receiving
Until 8/30/20 KDP.

SEN 828
NOV 13 1985

(23)

Offices Sick Call

Grievance Red Set

Major Tahimi
Received starting on
Meds started on
August 30, 2020
K.D.P. Blood pressure
Blood pressure

Out of High blood
Pressure Medication
Used Single Dressing
lot of Bandage Used
Single Dressings

To: Files See Above Date: 8/26/20

Address: 3822 E 113D South

Nurse MADDISON 8/2020

What are You people doing? I've sat in
 over 6 Sick call Request Asking for
 Single Passage until My last money to the
 Avail. I've Took 5 different Nurses, I'm
 out of Medications, including my Blood sugar
 & High Blood Medicines. Nurse Pickens
 says - I'll take care of it, Since 8/12-20
 I've still no Medications!!! (6420-19
 kills After the virus is gone!!! What are
 You doing. Deliberately not answer me

Mitchell 648121

13 E 13

TL

12 E 13

M.Michael 64813

OPERATIONS

DENTAL DEPT. HAS RESUMED NORMAL

THE PANDEMIC HAS SUSPENDED AND

APPOINTMENT TO BE SEEN ONCE

YOU ARE SCHEDULED FOR AN

AUG 20 2020

medication soft diet

comptute shows

we have not called anything

Did you discuss my

plan to detect my dental upper & lower

Did you discuss my dental

Diet 1995 ??

24

The kitchen is not sending me

3873 EM 352 South
Date: 9/19/20

10; Detail Description

RECEIVED

SAC CALL

THESE DOCUMENTS ARE NOT INDEPENDENT DOCUMENTS, IN SEVERAL PLACES, THE NUMBERS
THAT HE EXPLAINS THAT NAME IS EXACT COPIES OF THE DOCUMENTS FILED IN THE TRIAL
COURT.

1
SICK CALL
JUL 30 2020
Dental
HMiller

SICK
CALL

* Dental *

To: Medical Department Date: 7-23-20

Address: 3872 FM 352 South

My RECORDS reveal, that on November 27, 2019 WE entered into a "Contract" for a Six Month Treatment Plan whereas, Upon paying the CO-MEDical Payment being placed in A SOFT Diet, at the END of (6) months, I would RECEIVE my upper & LOWER partial Plates,
 PLEASE!! PLEASE!! I am aware of COVID-19 & have been Intentionally infected with the virus, MORE than 25 days have passed since Co. shrank & my body has KICKED IT'S ASS!!!

YOU ARE SCHEDULED FOR AN APPOINTMENT TO BE SEEN ONCE THE PANDEMIC HAS SUBSIDED AND DENTAL DEPT. HAS RESUMED NORMAL OPERATIONS

Please make preparation for IMPRESSIONS so that my teeth will come.

MAURICE MITCHELL 648127 TL *NEED* teeth

12 & 13

-NA-

Covid-19 infected. Please be advised 26
My High Blood Pressure Medication has
Run out. Please renew. Also, please
provide Single Doses, until
FOP arrives.

AUG 04 2020

Jackson

M. Mitchell

12 E

13

12-8-13

64812C

Severe Night Sweats
Every night, Temperature

High.

TL

Pharmacy notified ~~WA~~ JUL 25 2020

Pharmacy notified for single doses. Bluet Ph 7/25/20

PLEASE
fit this
cc/files.

8-3-20
I need My Benadryl's
Sick Call
Please Send your Response

You have Given ME nothing
for this CORONAVIRUS. NOTHING!!
cc/files.

To Medical Dept. Date 7-23-20
Address 3872 FM 352 South

(27)

It appears that on July 5, 2020 One of your officers infected with the COVID-19 Virus, intentionally and knowingly infected [ME] with the virus. Since then, I have been extremely sick, body aches, pain and straight out suffering, trouble breathing, coughing and sneezing. On Saturday, I INFORMED THE SICK CALL NURSE, and SHE STATED SHE WOULD HAVE THEM PULL ME OUT, TO BE BROUGHT TO THE INFIRMARY.

No ONE CAME TO GET ME.

ON MONDAY, July 13, 2020 an officer walked my AFFIDAVIT, AND SICK CALL REQUEST DOWN TO THE INFIRMARY, and STILL NO ONE HAS COME TO GET ME. IF I HAS ONE OF THESE KIDS WITHOUT KNOWLEDGE ON HOW TO PROVIDE FOR THEMSELVES I'D BE DEAD BY NOW !!!!!

I am not a psychic patient, and I do not play any type of games. I am 63 years old Sir, and I'm being denied medical treatment at a most crucial time.

This virus, has caused internal damage to organs, and emitting a bad odor, as is a result of contracting the disease. PLEASE SEE TO IT THAT I'M TAKEN TO THE INFIRMARY FOR MEDICAL TREATMENT, and test. See

Respectfully,

00648121

Polunsky

July 15, 2020.

MAURICE MITCHELL

12 E. 83
cc/files

Ric Buck EB
7-28-20

This is My 3rd Request

cc/file
Major Mohammed Tahumi, Ad-Bag Major;
Unit Grievance Office.
Office of the Inspector General
Files.

Medical Dept:

Medical Staff

7-14-20

To: 3872 F.M. 350 South Date: _____
Address: _____

Requesting the following medical aids to combat infection of COVID-19 Virus. Infected 7-5-20.

- (1) Antibiotic Pills x 7 days dosages
- (2) Laxatives x 3 days dosages
- (3) Triamcinolone Acetonide Cream, Tub
- (4) Vitamins A, B, C, D,

(28)

Please Comply. 63 year old MAN

MAURICE MITCHELL 648121 TL

12 E 83

7/15/20.

stf:
cc/files

Sick Call
RE QUEST

Dr. Montgomery: DR

To: Medical Staff Dr. Richey Date: 7/15/20

Add, egs 3871 FM 350 South

7-14-20

Thems Neal from

Influenza To Exposed
Virus from Body.

1. Antibiotics X 7 days
2. Laxatives X 3 days
3. Immuno to cleanse body
4. Steroids X 7 days
5. Vitamins A B, C

(29)

Legal Directory

Vol 1

- Probate Courts pg 166-167
- District Courts pg 148-149
- Justice of the Peace Courts pg 187
- St. Lukes Church Courts At 1st page 174-175

COMMON

12BF-836

TEXAS DEPARTMENT OF CRIMINAL JUSTICE
HEALTH SERVICES DIVISION
SICK CALL REQUEST

(30)

PART A: (To be completed by offender)Offender's Name: M. MitchellDate: 3/25/20TDCJ No.: 648121Work Assignment: WA-Work Hours: WA-Wing No: 12 E 83Sci. & Rel. Hrs.: WA-Service needed: Medical Dental Mental Health Other:Follow up to ContinueReason for Health Services Appointment: 'Agreed' Dental Plan.

How long have you had this problem?

Hours: Since November Days: 6 month plan

"In accordance with state law, if this visit meets offender annual health care services fee criteria, I understand that my trust fund account may be charged a \$13.55 health care services fee. I also understand that I will be provided access to health care services regardless of my ability to pay this fee."

YOU ARE SCHEDULED FOR AN
APPOINTMENT TO

A Bill Already Paid Up.

Signature of Offender

Part B: (To
Medical Rel)
BE SEEN ONCE THE PANDEMIS HAS
SUBSIDED AND DENTAL DEPT. HAS
RESUMED NORMAL OPERATIONS

Do not write below this line

Medical Staff Member's Signature afMAR 27 2020

Date

**DEPARTAMENTO DE JUSTICIA CRIMINAL DE TEXAS
DIVISION DE SERVICIOS MEDICOS
PETICION PARA TRATAMIENTO MEDICO**

PARTE A: (Completado por ofensor)

Número de ofensor: _____

Fecha: _____

Trabajo: _____

Numero de TDCJ.: _____

Ala del edificio: _____

Horas de escuela: _____

Servicios necesitados: Medico Dental Salud Mental Otro: _____

Horas de trabajo: _____

Razon para tratamiento de servicio de salud: _____

Cuanto tiempo tiene con este problema? Horas: _____ Dias: _____

"De acuerdo con la ley estatal, si esta visita encuentra al delincuente criterios de honorarios de servicios de asistencia médica anuales, entiendo que mi cuenta de fondo fiduciario puede ser cobrada unos honorarios de 13 dólares y 55 centavos. También entiendo que me proporcionarán acceso a servicios de asistencia médica sin tener en cuenta mi capacidad de pagar estos honorarios."

Firma del Ofensor

Parte B: (Completado por personal medico – No escriba debajo de esta linea.)

Respuesta Medica: _____

Firma del Miembro de Empleados Medicos
HSA – 9 (Rev. 8/19)

Fecha

By Devers of Majc. Mohamed (31)

Tahmi office. Darryl De ~~Mohamed~~ Cox
+ a new official Escorted me
To the 10 Bed Intensive Care Unit - 19 Evaluation for so-
me one knew my arrival
ing there. 3 different nurses
ask; Why are you here ??
You telling them I had Contracted
the Corona virus. Other were
told to take me in front of
the Ten Building Hospital Entrance
My where Nurse: Gwendolyn
HARVEY. G.A. had a Temperature
and pressure set up. when that
set down in chair for "Check up".
She kept SITTING. "What you
bring him down here for? This
approximately 10:45 AM

COMMON LAW, MANDAMUS, CONTINUED....

**TEXAS DEPARTMENT OF CRIMINAL JUSTICE
HEALTH SERVICES DIVISION
SICK CALL REQUEST**

(32)

PART A: (To be completed by offender)Offender's Name: M. MitchellDate: 12-15-19Work Assignment: NA -TDCJ No.: 64812Wing No: 12E 83

School Hours: _____

Work Hours: NA +Service needed: Medical Dental Mental Health Other:

Reason for Health Services Appointment:

Schedule tooth cleaning. BEFORE (3D) past appointment PER Dentist.

How long have you had this problem?

Hours:

Days:

Sick call to SEE Doctor, for SOFT Diet - Have not called me out

"In accordance with state law, if this visit meets offender annual health care services fee criteria, I understand that my trust fund account may be charged a \$100 health care services fee. I also understand that I will be provided access to health care services regardless of my ability to pay this fee."

NOT A BILL - FOLLOW UP

Signature of Offender

Part B: (To be completed by medical personnel – Do not write below this line)Medical Reply: SO DENTAL SICK CALL SCHEDDentalSO DENTAL ROUTINE SCHEDDEC 18 2019X SO DENTAL - ON BOOKSJW JONESSO DENTAL RESPONSE ONLY

HSA - 9 (Rev. 2/12)

Medical Staff Member's Signature

Date

DEPARTAMENTO DE JUSTICIA CRIMINAL DE TEXAS

DIVISION DE SERVICIOS MEDICOS

PETICION PARA TRATAMIENTO MEDICO

PARTE A: (Completado por ofensor)

Fecha: _____

Nombree de ofensor: _____

Numero de TDCJ.: _____

Trabajo: _____

Horas de trabajo: _____

Ala del edifiio: _____ Horas de escuela: _____

Servicios necesitados: Medico Dental Salud Mental Otro: _____

Razon para tratamiento de servicio de salud: _____

Cuanto tiempo tiene con este problema? Horas: _____ Dias: _____

"De acuerdo con la ley estatal, si esta visita encuentra al delincuente criterios de honorarios de servicios de asistencia médica anuales, entiendo que mi cuenta de fondo fiduciario puede ser cobrada unos honorarios de 100 dólares. También entiendo que me proporcionarán acceso a servicios de asistencia médica sin tener en cuenta mi capacidad de pagar estos honorarios."

Firma del Ofensor

Parte B: (Completado por personal medico – No escriba debajo de esta linea.)

Respuesta Medica: _____

Firma del Miembro de Empleados Medicos
HSA - 9 (Rev. 2/12)

Fecha

Please be advised! This is my 5th
Sick call request and you have me down
~~there suffering~~, Runny noses, Sneezing,
and itching, without relief, I am having
severe sinus problems, and allergies and
I NEED my Benadryl for relief. You
have told me three times that I will
receive single dosage daily until my
KOP arrives. I just found out 8-4-20 at
5:15 PM that my Benadryl are not even Shaving
dryls & send single dosages. PLEASE REVIEW MY BENADRYL
MAURICE MITCHELL 648121 12 E B cell

33
Referred to MID/MLP for Med Renewal

AUG 03 2020

Officer

Rec'd Back
8/11/20

SICK
CALL

Review
Medications
Benzodiazepines

To: Medical Opt. Dr. Reiley Date: 8-5-20

Address 3872 FM 350 South

(34)

Please Be Advised

I have observed several inmates from my block, Escorted to the Dental Department for TREATMENT.

Please call me out for Impressions, and the

Making of my Top & Bottom Teeth

Name: M. Mitchell No: 688121 Unit: TL
Living Quarters: 12 E 13 Work Assignment: -WPA-

DISPOSITION: (Inmate will not write in this space)

YOU ARE SCHEDULED FOR AN APPOINTMENT TO BE SEEN ONCE THE PANDEMIC HAS SUBSIDED AND DENTAL DEPT. HAS RESUMED NORMAL OPERATIONS


Dental
AUG 22 2020
JPF

INMATE REQUEST TO OFFICIAL

REASON FOR REQUEST: (Please check one)

PLEASE ABIDE BY THE FOLLOWING CHANNELS OF COMMUNICATION. THIS WILL SAVE TIME, GET YOUR REQUEST TO THE PROPER PERSON, AND GET AN ANSWER TO YOU MORE QUICKLY.

1. Unit Assignment, Transfer (Chairman of Classification, Administration Building)
2. Restoration of Lost overtime (Unit Warden-if approved, it will be forwarded to the State Disciplinary Committee)
3. Request for Promotion in Class or to Trusty Class (Unit Warden- if approved, will be forwarded to the Director of Classification)
4. Clemency-Pardon, parole, early out-mandatory supervision (Board of Pardons and Paroles, 8610 Shoal Creek Blvd. Austin, Texas 78757)
5. Visiting List (Asst. Director of classification, Administration Building)
6. Parole requirements and related information (Unit Parole Counselor)
7. Inmate Prison Record (Request for copy of record, information on parole eligibility, discharge date, detainees-Unit Administration)
8. Personal Interview with a representative of an outside agency (Treatment Division, Administration Building)

TO: Dental Dept
(Name and title of official)

DATE: 8-7-20

ADDRESS: 3872 FM 350 Sath

~~WHEREFORE PREVIOUSLY CONSIDERED, your claimant, pray the Honorable Judge:
TOM BROWN to issue order enclosed. Claimant, pray the court to WITHDRAW it's
order of JUNE 09, 2020 as premature or improvident. Claimant pray MANDAMUS issue
upon the office of the clerk to:~~

- ~~(1). ISSUE SERVICE OF PROCESS UPON THE DEBTOR: ALICE R. MORIARITY, C.O.
IV at the address provided, and service same upon the Director's office as provided;
(2). That the enclosure be filed, marked, and assigned the same cause number
stated herein, and that the clerk be ordered to;
(3). RETURN DATED AND FILED MARKED COPIES OF ALL THE ENCLOSURE, TO THE
CLAIMANT, EXCLUDING ALL THE EVIDENCE, UCC-1 AND ALL THE AGREEMENTS, and that
if the Judge so deems, that service be made upon the office of the Attorney
General for the state of Texas.~~

~~Sent: JUN 10 2020 NICK D. SMITH 263 S.W.3d 25; 2004 Tex. App. LEXIS 2163 (2004).
(writ of "MANDAMUS" conditionally "granted".).~~

- 5 -

1. ✓ 2. ✓ 3. ✓ 4. ✓ 5. ✓

1

(SIXTY-THREE). and a R D E A issued from the Honorable Judges, TOM MORAN,
on APRIL 26, 1920 and filed said documents and sealing said CIVIL Action number
LXXXVII, the court's Clerk recorded statement, above named documents
on APRIL 26, 1920 and filed said documents and sealing said CIVIL Action number
LXXXVII, the court's Clerk recorded statement, above named documents
(D) result Judgment; ~~and~~ ~~RECEIVED ATTORNEY FOR PLAINTIFF, APRIL 22, 1920, TUESDAY 675.~~
(b). WITH ALL DUE RESPECT TO THIS HONORABLE COURT, the Clerk's Office and
all involved, the SERVICE of the above documents, and the ORDER to respond, and
totally out of place, and demeanor.

SECTION III (e)(2) continued

COMMON LAW, MANDAMUS, CONTINUED . . .

Rev. Maurice Mitchell [SLT]

TITLE 28 USC § 500 [SJ] (A) A SOVEREIGN

AMERICAN NATIONAL

Specialized Legal Technician [SLT]

SOUTHERN CAREER INSTITUTE

The [P] Juralegal School of Arts & Science'

Valedictorian 1991

ATTORNEY-IN-FACT FOR HIS Corporate Fiction

MAURICE MITCHELL, Esq. legis

Registered Limited Power of Attorney No #

R: MM-060275-LPA

Topeka, KANSAS, Dec, 14, 2011

3872 F. M. 350 South

Livingston, Texas 77351

United States Courts
Southern District of Texas

FILED

November 10, 2020

David J. Bradley, Clerk of Court

SEPTEMBER 21, 2020

Winston & Strawn, L.L.P.
Limited Liability Partnership
A Professional Corporation

Mr. John Keville
Attorney - At - Law
800 Capitol Street, Suite 2400
Houston, Texas 77002

RE: REQUESTING THAT YOU PLEASE CONSIDER FILING THE
ENCLOSED AMENDED COMPLAINT TO YOUR ORIGINAL -

Dear Mr. Keville.

I am in possession of the original Amended Complaint and Attached thereto is over (50) pages of Exhibit of Evidence for the FEDERAL JUDGES considerations towards RELEASING from prison under the EMERGENCY DECLARATION of Governor: Gregg Abbott. Those inmates who are Old, Infected susceptible and Vulnerable inmates. As shown in the AMENDED complaint TDCJ officials have been trying to TAKE MY LIFE for years!

Simply because I have an "EDUCATION".

It is because of the EVIDENCE that I retain the originals. Please write me back with a positive stance that You Your colleagues will file this Amended complaint Modified if you like and I shall mail you All the originals awaiting Your reply. Respectfully:

Maurice Mitchell 9/25
Rev. Maurice Mitchell

c/c files

skfj